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NAVAL POSTGRADUATE SCHOOL

MONTEREY, CALIFORNIA

THESIS

ESTABLISHING A HOMELAND SECURITY FIELD STRUCTURE

by

Brian L. Dunn

September 2006

Thesis Advisor:
Second Reader:

Robert Bach
Nadav Morag

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ESTABLISHING A HOMELAND SECURITY FIELD STRUCTURE

Brian L. Dunn
Commander, U.S. Coast Guard
B.S., U.S. Coast Guard Academy, 1985
M.P.A., Troy State University, 2004

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requirements for the degree of

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September 2006**

Author: Brian L. Dunn

Approved by: Robert Bach, Ph.D
Thesis Advisor

Nadav Morag, Ph.D
Second Reader

Douglas Porch, Ph.D.
Chairman, Department of National Security Affairs

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ABSTRACT

Historically, the American governance system, divided into federal, state and local jurisdictions, does not provide a natural vehicle for discussing public policy issues from a regional, multi-jurisdictional perspective. The autonomy of local jurisdictions and competing priorities within and among them makes regional coordination difficult. Efforts that seek to overcome these challenges to coordinate regionally must take into account the different operational structures and civic traditions of states and municipalities.

The establishment of a Homeland Security Regional Structure will support the DHS mission of leading a unified national effort to secure America. The homeland security regions will enhance the national effort to prepare for threats and hazards to the nation. The regional structure will move DHS support closer to state, and local governments that have been overwhelmed by new requirements for homeland security within their jurisdictions. Engaging state and local governments at the regional level provides the best opportunities for the integration of homeland security efforts across all levels of government.

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I. INTRODUCTION

A. PROBLEM

Congress established the Department of Homeland Security (DHS) to coordinate federal, state, local, tribal, and private sector efforts to prevent, prepare for, respond to, and recover from incidents of national significance. Entering its third year, DHS is making progress coordinating federal efforts, but efforts to engage state and local governments have been limited to exercises, the National Response Plan rollout, and grant programs aimed at increasing local response capabilities. The current DHS organization for state and local coordination exceeds the effective span of control to be managed centrally from DHS headquarters.¹ Representative Mike Rogers, in a statement before the House Subcommittee on Integration, Management, and Oversight stated, “I think there is glaring problem of inadequate integration between Homeland and the states and local governments.”² DHS cannot successfully integrate homeland missions with state and local partners from Washington, D.C. The Nation’s ability to prepare for, prevent, respond to, and recover from disasters depends on the ability to organize and coordinate a community of first responders; federal, state, and local agencies; and, private sector entities.³

State and local governments must be more engaged in developing and implementing a national homeland security strategy for DHS to successfully complete the mission it was created to execute. In order to prevent, prepare for, respond to, and recover from future incidents of national significance, such as the terrorist attacks of September 11, the Department of Homeland Security needs to reach beyond the Federal government and work with state and local governments within the national homeland

¹ In this document “span of control” refers to the number of organizations DHS officials coordinate with directly. Span of control in business is normally defined as between 4 and 7 subordinates. Optimally the Regional Homeland Security Director would coordinate with between 4 and 7 states.

² House of Representatives, Committee on Homeland Security, *Management Challenges Facing the Department of Homeland Security* (Washington, D.C.: GPO, 2005), 61.
<https://www.hsdl.org/homesec/docs/legis/nps17-042006-02.pdf>. (accessed September 21, 2006).

³ This thesis will not specifically address the coordination of homeland security missions with the private sector.

security strategy. All disasters are local, clearly illustrated by Hurricane Katrina that devastated New Orleans, and we must build a stronger foundation at the state and local levels.⁴

The National Strategy for Homeland Security calls for coordinated and focused effort from the Federal government, state and local governments, the private sector, and the American people.⁵ DHS must implement a national strategy, not a federal strategy, to make America stronger, safer, and more secure. Thus far DHS efforts to lead federal coordination have not led to a unified strategy that integrates federal, state, and local homeland security activities. The National Homeland Security Strategy is handicapped by the lack of incorporation of expertise or consent of public safety organizations at the state or local level.⁶

Would a DHS field structure, a DHS Headquarters element assigned to multi-state geographic areas, more effectively engage state and local governments to coordinate homeland security activities to prevent, prepare for, respond to, and recover from incidents of national significance?

State and local first responders form the backbone of the homeland security response system. The Department of Homeland Security must foster partnerships with state and local resources to coordinate the federal resources required to respond to major incidents. The vast majority of disasters will be responded to by state and local governments, with the Federal government stepping in to provide support only in unique

⁴ James Carafano and Richard Weitz., "Learning from Disaster: The Role of Federalism and the Importance of Grassroots Response," *Backgrounder No. 1923* (Washington, D.C.: Heritage Foundation, 2006). http://www.heritage.org/Research/HomelandDefense/upload/95417_1.pdf. (accessed September 21, 2006).

⁵ The White House, *The National Strategy for Homeland Security* (Washington, D.C.: The White House, 2002), vii.

⁶ International Association of Chiefs of Police (IACP), *From Hometown Security to Homeland Security* (Alexandria, VA: IACP 2006). http://www.iacp.org/leg_policy/HomelandSecurityWP.pdf. (accessed September 21, 2006).

circumstances.⁷ The operational response to a fast-moving disaster such as Katrina or 9/11 simply cannot be managed from Washington.⁸

A layered approach to homeland security that coordinates capabilities at the local, state, regional, and national levels would better synthesize all levels of government into a national strategy. DHS currently relies on state and local governments to identify capability shortfalls during an incident and then request Federal assistance. As a result DHS, as the executive agent for homeland security for the Federal government, consistently plays a reactionary role in incident response.

DHS does not have the ability to regularly assess the collaborative capabilities of state and local responders in order to determine resource shortfalls and assistance requirements. The integration of homeland security activities at the state and local levels appears to be inconsistent and normally exists only for law enforcement situations. Reactive strategies for homeland security incidents have proven to be insufficient; forward-leaning strategies are required given the probability of situations where state and local responders will require federal assistance.

Response activities are initiated as soon as a disaster is detected or threatens. The initial response is normally undertaken by local first responders and government. Response involves mobilizing and positioning emergency equipment; moving people out of danger; providing needed food, water, shelter and medical services; and restoring damaged services and systems. If the response requirement is beyond the capabilities of state and local governments federal assistance is requested.

DHS needs the ability to proactively respond to the shortfalls in state and local capabilities. Actively engaging state and local governments as a partner in homeland security planning and operations will better enable DHS to anticipate the requirements of these entities to respond to natural and manmade incidents. Synthesizing the capabilities

⁷ Frank Cilluffo, *Hurricane Katrina Recommendations for Reform* (Washington, D.C.: George Washington University, 2006). http://www.gwu.edu/~dhs/congress/March8_06.htm. (accessed September 21, 2006).

⁸ The Heritage Foundation, *Empowering America: A Proposal for Enhancing Regional Preparedness*. (Washington, D.C.: The Heritage Foundation, 2006). www.heritage.org/Research/HomelandDefense/SR06.cfm. (accessed September 21, 2006).

of all levels of government into a national strategy will provide greater opportunities to identify and fill capability shortfalls through proactive response at each level of government.

The Federal Response to Hurricane Katrina: Lessons Learned identified four critical flaws in the national preparedness effort: the process for establishing a unified command; command and control structures within the Federal government; knowledge of preparedness plans; and regional planning and coordination.⁹ The catastrophic nature of Hurricane Katrina stressed the response capabilities at all levels of government. The loss of many functional capabilities of state and local response organizations significantly hampered the response effort. Federal officials arriving in impacted areas did not understand state and local government relationships, capabilities, or communications.

DHS and FEMA have been widely criticized for their slow response to Hurricane Katrina. Experience has shown that effective response cannot be managed from Washington.¹⁰ As early as August 26th, the National Hurricane Center predicted Katrina would make landfall as a major hurricane just east of New Orleans.¹¹ State and local authorities began to prepare for the worst case scenario. FEMA pre-staged commodities and emergency response assets to respond to the storm. As the storm approached citizens who had been unable to evacuate showed up at shelters. Officials at all levels were unsure about how many people would seek shelters of last resort such as the Superdome. New Orleans Mayor, Ray Nagin asserted that the Superdome could accommodate 50,000 to 70,000 people.¹² Neither federal, state, nor local emergency managers were prepared to support such a massive effort. As a result, evacuees were stranded without food or water.

On August 30th Secretary Chertoff designated Michael Brown, then Under Secretary for Emergency Preparedness and Response, as the PFO for incident management during the response and recovery operations for Hurricane Katrina. Katrina

⁹ The White House, *The Federal Response to Hurricane Katrina: Lessons Learned* (Washington, D.C.: The White House, 2006), 52.

¹⁰ Cilluffo, *Hurricane Katrina Recommendations for Reform*.

¹¹ White House, *Hurricane Katrina: Lessons Learned*, 23.

¹² Ibid., 30.

had disabled most of the state and local response capabilities in New Orleans. Although Emergency Management Assistance Compacts were in place, the regional impact of the hurricane prevented neighboring jurisdictions from providing assistance. As the PFO, Mr. Brown's task was to facilitate federal support to the established unified command (UC). The devastation caused by Katrina, however, incapacitated state and local response capabilities requiring the Federal government to take on the incident command role. The Federal government, limited by a lack of knowledge of the local area or response capabilities, struggled to establish a unified command in the absence of a coordinated state and local response.

The Unified Command links the organizations responding to the incident and provides a forum for these entities to make consensus decisions. Under the UC, the various jurisdictions and/or agencies and non-government responders may blend together throughout the operation to create an integrated response team.¹³

The Unified Command is responsible for overall management of the incident. The UC directs incident activities, including development and implementation of overall objectives and strategies, and approves ordering and releasing of resources. Members of the UC work together to develop a common set of incident objectives and strategies, share information, maximize the use of available resources, and enhance the efficiency of the individual response organizations.¹⁴

Effective coordination among local, state, and federal responders at the scene of a response is a key factor in successfully responding to major incidents. The unified command structure provides a flexible organization capable of changing to meet evolving situations. The Joint Coordination Group serves as a unified command structure for federal, state, and local coordination in the Joint Field Office. The purpose of the unified command is to link response organizations together in order to facilitate consensus decisions. The Unified Command brings together the various jurisdictions to create an

¹³ U.S. Coast Guard, *Incident Management Handbook* (Washington, D.C.: USCG, 2001).

¹⁴ Ibid.

integrated response team.¹⁵ During the response to Hurricane Katrina, the multiple Federal coordinators with varying sources of authority frustrated state and local officials in the region.¹⁶

The PFO facilitates federal support to the established unified command structure and coordinates federal incident management activities. Following Hurricane Katrina, however, state and local governments lacked the ability to coordinate a response. State and local officials were not able to establish an effective unified command due to the loss of communications, response capabilities, and personnel. The PFO was unable to coordinate an effective response with the remaining state and local responders without a functioning incident command structure. Multiple, overlapping federal, state, and local jurisdictions precluded establishing clear lines of authority and accountability that actually put people in charge.¹⁷

Prior to the establishment of DHS, FEMA operated as an independent, cabinet level agency with the FEMA Director reporting directly to the President. After his designation as PFO, Michael Brown reverted to the pre-DHS relationship bypassing Secretary Chertoff and dealing directly with the President. In Mr. Brown's words, "Let me give you an example of what happened in Louisiana. I would give an order for something to happen. And somebody would go talk to Chertoff. And Chertoff would give a different order. And so there was this confusion about who was in charge. I should have been in charge in there. I should have been making those decisions. And Chertoff should not have been second-guessing those decisions."¹⁸

During the response to Hurricane Katrina, Mr. Brown was criticized for being disconnected from state and local officials and the situation on the ground. At the local level, Brown told House committee members that one of his biggest faults in the response was not being able to convince Louisiana Governor Kathleen Blanco and New Orleans

15 U.S. Coast Guard, *Incident Management Handbook* (Washington, D.C.: USCG, 2001).

16 Col Jeff Smith, Deputy Director of Louisiana Department of Homeland Security and Emergency Preparedness, in *Federal Response to Hurricane Katrina: Lessons Learned*. 42

17 Christian Beckner, "The Root Causes of Homeland Security Dysfunction," *Homeland Security Watch*, May 18, 2006. <http://www.hlswatch.com/2006/05/18/the-root-causes-of-homeland-security-dysfunction/>. (accessed September 20, 2006).

18 Fox News Transcript of Interview with Michael Brown, March 6, 2006 <http://www.foxnews.com/story/0,2933,186860,00.html>. (accessed September 20, 2006).

Mayor Ray Nagin to act faster.¹⁹ Mr. Brown laid blame on state and local officials for the government's failed response to the disaster. The lack of common understanding of the situation, plans, and capabilities of each level of government appears to have contributed to confusion and delays.

Hurricane Katrina was the first real life test of the NRP, which was signed in December 2004. The PFO is designated by DHS' Secretary to act as the Secretary's local representative in overseeing and executing the incident management responsibilities under HSPD-5 for Incidents of National Significance. The PFO is to provide the Secretary with pertinent information and coordinate the federal effort, but the PFO does not direct or replace the Incident Command System and structure, and does not have direct authority over the senior law enforcement official, the FCO, or other federal and state officials.²⁰ The PFO does not have directive authority over other federal or state officials which created confusion in the field about who was "in charge". There was also confusion over the different roles and responsibilities performed by the Principal Federal Official (PFO) and the Federal Coordinating Officer (FCO). This confusion contributed to undermining coordination efforts across federal, state, and local levels.

State and local evacuation plans did not address post hurricane evacuation of New Orleans. The Superdome, housing thousands of evacuees, was cut off by rising floodwaters preventing evacuation and delivery of food and water. Federal officials, who were not familiar with Louisiana's plans, were unprepared for a large-scale evacuation or re-supply effort. Federal, state, and local officials worked to evacuate more than 35,000 people from New Orleans.²¹ The unplanned evacuation resulted in many evacuees not knowing where they were going and receiving states having little notice of the number or arrival times of evacuees. Federal and state officials had difficulty coordinating transportation assets during the evacuation; thus, the evacuation effort was largely uncoordinated and haphazard. Heading into the 2006 hurricane season, Louisiana and DHS officials remain at odds over who is in charge of evacuations and shelters. In a

19 Spencer Hsu, "Brown Defends FEMA's Efforts; Former Agency Director Spreads Blame for Failures in Katrina Response," *Washington Post*, September 28, 2005. <http://www.washingtonpost/wp-dyn/content/article/2005/09/27/AR2005092700709.html>. (accessed September 20, 2006).

20 DHS, *National Response Plan*, (Washington, D.C: GPO 2006).

21 White House, *Hurricane Katrina: Lessons Learned*.

sharply worded letter sent to Secretary Chertoff, Louisiana Governor Kathleen Blanco cataloged what she saw as multiple shortcomings in the Department of Homeland Security's plans for the 2006 hurricane season.²²

The response to Hurricane Katrina was hampered at all levels by the lack of familiarity of senior officials with response plans. Former FEMA director Michael Brown testified to the White House Committee investigating the federal response to Hurricane Katrina that it was not his job to take over the evacuation of New Orleans and rescue the drowning city from the hurricane. "FEMA doesn't own fire trucks; we don't own ambulances; we don't own search-and-rescue equipment. In fact, the only search-and-rescue or emergency equipment that we own is a very small cadre to protect some property that we own around the country. FEMA is a coordinating agency. We are not a law enforcement agency," he said.²³ FEMA's role is not intended to be that of first responders, its role is to help organize search-and-rescue, medical response, and other response capabilities in a partnership.

DHS did not have an appropriate organization for ensuring a rapid understanding and adoption of the NRP and NIMS throughout the Federal government. The goal of the National Response Plan is to provide a streamlined framework for swiftly delivering federal assistance when a disaster overwhelms state and local officials Secretary Chertoff's hesitation to initiate a response to Hurricane Katrina until after the passing of the storm and President Bush's creation of a DOD task force both appear to contradict the National Response Plan and previous presidential directives that specify what the secretary of homeland security is assigned to do without further presidential orders.²⁴ Under the NRP, "Standard procedures regarding requests for assistance may be expedited or, under extreme circumstances, suspended in the immediate aftermath of an event of

²² Interview with Michael Brown.

²³ Interview with Michael Brown.

²⁴ Jonathan S. Landay, Alison Young and Shannon McCaffrey, "Chertoff delayed federal response, memo shows." Knight Ridder Newspapers <http://www.realcities.com/mld/kriwashington/12637172.htm>. (accessed September 20, 2006.)

catastrophic magnitude. Notification and full coordination with the States will occur, but the coordination process must not delay or impede the rapid deployment and use of critical resources."²⁵

The national response capability failed during Hurricane Katrina due to a lack of coordination and communication between responders at all levels of government. DHS must establish a preparedness organization to work in partnership with other federal, state, and local agencies to develop an all hazards homeland security strategy. Establishing a field structure would enable DHS more closely coordinate homeland security activities to prevent, prepare for, respond to and recover from incidents of national significance.

Implementation of the National Incident Management System (NIMS) and the National Response Plan (NRP) and expanding regional collaboration are priorities of the National Preparedness Goal. The development of DHS regions that are staffed, trained, and equipped to coordinate federal, state, and local preparedness and respond to emergencies that require Federal response will promote unity of effort within DHS and with external stakeholders. The regional concept provides critical support for the total integration of the DHS and the national homeland security strategy to meet its mission of protecting the homeland.

1. Have We Implemented a National Homeland Security Strategy?

The creation of DHS has done little to alleviate the confusion over who is responsible for homeland security. The Secretary is responsible for coordinating and consulting with other federal, state, and local government agencies in developing and implementing national plans and policies. The Federal government relies on state and local governments for information and response, but currently appears to lack the capability or desire to effectively share information or provide a proactive response. Homeland Security requires a national effort undertaken as a cooperative endeavor across all levels of government and private sector entities.

The *National Strategy for Homeland Security* provides the framework for organizing homeland security efforts across levels of government and industry. The

²⁵ DHS, *National Response Plan*.

Strategy designates the Department of Homeland Security as the primary federal point of contact for state and local governments, and the private sector. In this capacity, DHS is responsible for coordinating and supporting implementation of non-federal homeland security tasks.²⁶ Although the *Strategy* establishes the requirement for DHS to reach beyond the capabilities of the Federal government to coordinate the homeland security strategy with state, local, and private sector strategies, DHS lacks an effective capability to facilitate coordination with state and local governments and the private sector.²⁷

Homeland security activities require close coordination between the Federal government and state and local governments in order to efficiently and effectively manage risk and allocate resources. Homeland Security Presidential Directive 8 (HSPD-8) seeks to strengthen the preparedness of the United States to prevent and respond to threatened or actual domestic terrorist attacks, major disasters, and other emergencies by establishing mechanisms to improve the delivery of federal preparedness assistance to state, local, and tribal governments.²⁸ The primary means of federal preparedness coordination continues to be through grants, training, and exercises. Preparedness planning requires that DHS have a much better understanding of state and local strategies, policies, procedures, and capabilities.

DHS has not established a primary local point of contact for coordination of homeland security initiatives and strategies in conjunction with state and local partners. Multi-jurisdictional partnerships dedicated to facilitating and coordinating homeland security efforts within geographic regions and across levels of government are needed in order to implement a truly national strategy.

2. Where are We Now?

The Homeland Security Act of 2002 established the Department of Homeland Security to prevent terrorist attacks; reduce the nation's vulnerability to terrorism, natural disasters and other emergencies; minimize the damage and assist in the response and

²⁶ The *National Strategy for Homeland Security* was written prior to approval of the Homeland Security Act. The *Strategy* refers to the roles of the proposed Department of Homeland Security.

²⁷ James Carafano and David Heyman, "DHS 2.0: Rethinking the Department of Homeland Security," Heritage Foundation *Special Report* No. 2, December 13, 2004, www.heritage.org/Research/HomelandDefense/sr02.cfm. (accessed December 26, 2005).

²⁸ President Bush, HSPD-8 (Washington, D.C.: The White House, 2003). <http://knxup2.hsdl.org/homsec/docs/whitehouse/nps05-121803-02.pdf>. (accessed January 29, 2006).

recovery from incidents that do occur.²⁹ Establishing the Department of Homeland Security was the most extensive government reorganization since the National Security Act of 1947.

DHS still faces the challenge of integrating the “stovepiped” operations of twenty-two agencies into a single organization. Successfully transforming the Department will require an integrated management approach. Shortly after taking office, Secretary Michael Chertoff ordered the Department to undergo a systematic review of operations, policies, and organization. The Second Stage Review resulted in the Secretary’s Six Point Agenda and the realignment of organization structures in the Department. The realignment resulted in the functions of the Office of State and Local Coordination sifting further into the bureaucracy within the newly established Preparedness Directorate. Although the Second Stage Review was not implemented prior to the 2005 Hurricane Season, the proposed realignment indicated a growing separation of Federal efforts from those of state and local governments.

The Homeland Security Act also designates DHS as a focal point for natural and manmade crises and emergency planning.³⁰ In order to be successful, DHS must marshal the resources of the Federal, state, and local governments. Establishing policies, standards, and providing funding support for homeland security resides at the Federal government level. State and local governments, however, are best positioned to provide resources for detection, prevention, and recovery. Many state and local government officials do not fully recognize their roles and responsibilities for homeland security. Building the relationships to establish and maintain partnerships with state and local governments will require a dedicated effort by DHS to understand the political, budgetary, and strategic issues to effectively coordinate preparedness.

Primary responsibility for leading response and recovery efforts falls to state and local governments who are closest to those affected by terrorist acts and natural disasters. Local governments are responsible for developing emergency plans and providing safety

²⁹ Congress, Homeland Security Act of 2002, (Findlaw, 2002).
<http://fl1.findlaw.com/news.findlaw.com/hdocs/docs/terrorism/hsa2002.pdf>. (accessed September 20, 2006).

³⁰ Congress, *Homeland Security Act*.

and security prior to an incident. In response to a potential or actual incident, the local government provides first response on-scene and determines the need for additional support from the state and Federal governments. In the event the local government requires assistance the state is responsible for mobilizing additional state and regional resources to assist and implementing the state's emergency management functions. The state is also in charge of requesting federal support through the formal disaster declaration process. The Federal government acts in a supporting role, providing assistance, logistical support, resources, and certain supplies.

The response to Hurricane Katrina at all levels of government created or reinforced mistrust between federal, state, and local governments. As the executive agent of the Federal government, DHS was responsible for managing the response, relief, and recovery efforts of the Federal government agencies. FEMA is not a first response entity, but is responsible for supporting first responders. The Federal government relies on state and local officials to identify mission and commodity requirements to FEMA, which coordinates with other federal agencies or the private sector for goods and services.

The Stafford Act is based upon the Federal government providing supplemental assistance to a State, whereas the Incident Command System (ICS), required by the NRP and NIMS, is based upon who can best meet a need. The ICS is able to respond to requests for assistance much faster than the Stafford Act processes.³¹ Lack of coordination and organization at the Federal government level during Katrina resulted in delays of delivery of food and water and the evacuation of hurricane victims. The mission assignment process created by the Federal government proved too cumbersome to quickly respond to the needs federal assistance. As a result of this cumbersome process, federal agencies acted under their independent authorities, rather than waiting for mission assignments from FEMA, thereby creating further confusion in the response effort. Too often, the response was plagued by emergency support functions (ESFs) and other Federal agencies taking direction from their own higher headquarters that conflicted with the direction that the FCO had coordinated.³²

31 DHS/FEMA, "Initial Response Hotwash: Hurricane Katrina in Louisiana," DR-1603-LA, February 13, 2006. http://www.disasterthebook.com/docs/Katrina_initial_response_hotwash.pdf (accessed September 20, 2006).

³² Ibid.

National preparedness planning requires a collaborative effort between Federal, state, and local governments. Following Hurricane Katrina the President directed DHS to conduct a Nationwide Plan Review to provide a rapid assessment of the status of catastrophic planning for all fifty states and seventy-five of the Nation's largest urban areas. The Phase One report based on state self-assessments in February 2006 showed a range of capabilities and planning. The Phase Two report issued in June further assessed the capabilities of states, pinpoints shortfalls, and makes specific recommendations to help achieve a better state of preparedness. The review concentrated on catastrophic and evacuation planning. The review concluded that catastrophic planning is unsystematic and is not linked within a national planning system.³³ A newly established National Preparedness Task Force will oversee DHS efforts to strengthen and systematize catastrophic planning among all levels of government.

3. Developing a National Strategy Approach to Homeland Security

Homeland security depends on collaborative relationships with homeland security partners. The *National Response Plan (NRP)* provides guidelines for how the Federal government will provide assistance to state and local governments during an incident of national significance. The *NRP* consolidates Federal government emergency response plans into a single, coordinated national plan, as called for by HSPD-5. In terms of functions, the *NRP* organizes the resources that are most likely to be needed during an incident response. Working in conjunction with the *National Incident Management System (NIMS)*, the *NRP* establishes organizations and procedures that provide a standard framework for incident management. The *NRP* and *NIMS* are designed to create an integrated response that considers the involvement of multiple jurisdictions and multiple responders. According to the Heritage Foundation, these documents are prerequisites for a regional homeland security framework, but DHS lacks a suitable operational structure to support them.³⁴

³³ U.S. Department of Homeland Security, *Nationwide Plan Review: Phase 2 Report*. (Washington, D.C.: DHS 2006). http://www.dhs.gov/interweb/assetlibrary/Prep_NationwidePlanReview.pdf. (accessed June 16, 2006).

³⁴ Edwin Meese, James Carafano, and Richard Weitz, "Organizing for Victory: Proposals for Building a Regional Homeland Security Structure," Heritage Foundation *Backgrounder* No. 1817, January 21, 2005, at www.heritage.org/Research/HomelandDefense/bg1817.cfm. (accessed December 26, 2005).

The traditions of federalism and limited government in the United States require that organizations outside of the Federal government take the lead in many homeland security initiatives.³⁵ Federalism limits the Federal government's ability to mandate actions to state and local governments. No state or local jurisdiction willingly relinquishes its authority or control to an external entity, particularly the Federal government.³⁶

Existing FEMA Regional Interagency Steering Committees (RISCs) seek to manage risk and allocate resources, provide regular forums and communications channels to exchange information, coordinate federal assistance to state, local, and tribal governments, coordinate assistance and participation in training and exercise programs, and coordinate information and intelligence sharing, and information sharing within the FEMA regions³⁷. The role of the RISCs has not expanded beyond disaster response capabilities and does not provide an all-hazards capability to meet the requirements of the *National Response Plan*.

The Government Accountability Office (GAO) has published several reports that support the need for closer coordination between the Federal government and state and local governments. Among its findings, GAO recognizes that regional organizations that include representation from many different jurisdictions and diverse stakeholders serve as structured forums for these parties to discuss public policy problems and agree on possible solutions.³⁸ DHS is responsible for developing a national, all-hazards approach to homeland security by preparing all sectors of society to prepare for any emergency event.

No single jurisdiction or agency would be expected to perform every task, first responders require access to regional and federal resources, or some combination of the

35 The White House, *National Strategy for Homeland Security* (Washington, D.C.: Government Printing Office, 2002).

36 Beckner, "Root causes of homeland security dysfunction."

37 Dan Brown, "Regional Interagency Steering Committee (RISC)," *In Other News...* (FEMA Region V), at www.fema.gov/regions/v/newsletter/volume_4/news_n02.htm. (accessed December 31, 2005).

38 U.S. Government Accountability Office, *Homeland Security: Effective Regional Coordination Can Enhance Emergency Preparedness*, GAO-04-1009, September 2004, www.gao.gov/new.items/d041009.pdf. (accessed December 26, 2005).

two.³⁹ As the primary federal agency responsible for emergency management, DHS is charged with ensuring state and local first responders have the capabilities necessary to provide a coordinated response to a major incident.

The DHS Strategy for Homeland Security calls for building coalitions and partnerships rooted in the precepts of federalism.⁴⁰ While he was Secretary of Homeland Security and in a *Washington Times* article, Tom Ridge was a proponent of establishing multi-state regions to coordinate DHS operations. DHS, more than any other cabinet agency, depends upon the integration of people, capabilities, and information in order to achieve its mission.⁴¹ Currently DHS does not have an organization that can interact with state and local governments on a day-to-day basis to develop an understanding of preparedness requirements.

The Markle Foundation recommended that DHS work with state and local governments and private sector entities to create decentralized analytical centers and foster their ability to communicate with other players in the network.⁴² Information and intelligence sharing between the Federal government and state and local governments would allow all levels to better evaluate threat information to prevent future terrorist incidents. The Federal government must identify the role that state and local agencies and the private sector should play as informed partners in homeland security.⁴³ Information fusion is needed to build and share knowledge of current capabilities and

39 U.S. Government Accountability Office, *Homeland Security: DHS' Efforts to Enhance First Responders' All-Hazards Capabilities Continue to Evolve*, GAO-05-652, July 11, 2005, www.gao.gov/new.items/d05652.pdf. (accessed September 20, 2006).

40 U.S. Department of Homeland Security, "Securing Our Homeland: U.S. Department of Homeland Security Strategic Plan," www.dhs.gov/interweb/assetlibrary/DHS_StratPlan_FINAL_spread.pdf. (accessed December 27, 2005).

41 Tom Ridge, "Measuring Homeland Security," *Washington Times*, December 13, 2005, at www.washingtontimes.com (accessed December 13, 2005).

42 Task Force on National Security in the Information Age, "Creating a Trusted Network for Homeland Security," Markle Foundation, December 2, 2003, www.markletaskforce.org/reports/TFNS_Report2_Master.pdf. (accessed December 27, 2005).

43 U.S. Government Accountability Office, *Homeland Security: Federal Leadership Needed to Facilitate Interoperable Communications Between First Responders*, GAO-04-1057T, September 8, 2004, www.gao.gov/new.items/d041057t.pdf. (accessed December 27, 2005).

emerging critical needs by maintaining an integrated common operational picture to provide leaders and incident responders with current information on incidents and resources.

The vision for the National Preparedness Goal is: “To engage federal, state, local, and tribal entities, their private and nongovernmental partners, and the general public to achieve and sustain risk-based target levels of capability to prevent, protect against, respond to, and recover from major events in order to minimize the impact on lives, property, and the economy.”⁴⁴ The National Preparedness Goal requires the coordination of preparedness programs, including training and exercise programs, for all-hazards preparedness. Preparedness programs should provide federal support to state and local governments to meet national preparedness program goals and integrate federal participation in training and exercises. Preparedness programs should be based on the principles of the National Incident Management System, the National Response Plan, and the National Planning Scenarios.

Homeland Security Presidential Directive 8 (HSPD-8), National Preparedness, tasks DHS to oversee and support preparedness evaluations and assessments to assist in contingency planning and development of comprehensive all-hazards preparedness strategies for each state. In testimony before the House, Secretary Chertoff stated, “Congress and the department allocates tens or even hundreds of millions of dollars to each state and to certain local governments across the country without the prerequisite analysis of risk.”⁴⁵ Preparedness evaluations and risk assessments are essential elements to provide guidance to state and local governments on resource requirements to tie the grant process to the homeland security strategy and ensure efficient and effective allocation of homeland security assets and monitor the grant process.

State and local governments require the capability to identify emerging threats and then simultaneously share that information across all levels of government in order to prevent and prepare for terrorist attacks. Currently state and local governments do not

44 Department of Homeland Security, *National Preparedness Goal*, December 2005. <http://knxup2.hsdl.org/homesecc/docs/nps03-010306-02.pdf>, 1. (accessed January 29, 2006).

45 U.S. Congress, House, Committee for Homeland Security, “Testimony by Secretary Michael Chertoff before the House Homeland Security Committee,” April 13, 2005, <http://www.dhs.gov/dhspublic/display?content=4460>. (December 30, 2005).

have a single point of contact outside of DHS headquarters to facilitate information sharing and threat assessment, develop regional plans, assist in planning for National Special Security Events and Homeland Security Special Events, or to coordinate federal assistance as required. DHS assistance to state and local governments to coordinate strategic risk assessments, scenario-based contingency planning, grant program assessments, training programs and exercises would help develop an understanding of state and local capabilities.

Homeland Security Presidential Directive 3 (HSPD-3), Homeland Security Advisory System, established a system to “inform and facilitate decisions appropriate to different levels of government and to private citizens at home and at work.”⁴⁶ State and local governments have indicated continuing confusion regarding the recommendations for heightened security measures when changing Homeland Security Advisory System (HSAS) alert levels.⁴⁷ Clearly defined and consistently applied policies and procedures have not been used to provide guidance to state and local governments on raising and lowering HSAS levels. Changes in the HSAS level should be closely coordinated with state and local governments to communicate the national risk of terrorist acts to federal, state, local, public and private sector entities and to identify appropriate protective measures to implement in response to the threat.

B. STRATEGIC ISSUES - SPECIFIC RESEARCH OBJECTIVES

In creating the Department of Homeland Security, Congress established a national framework to coordinate homeland security missions. The current DHS organization attempts to coordinate homeland security missions from a national headquarters perspective with limited planning and coordination with state and local governments. The objective of this research project is to provide an organizational model to coordinate homeland security efforts and determine if a DHS field structure would provide a more effective approach to coordinating homeland security missions with state and local governments. Specific areas of emphasis are:

⁴⁶ U.S. President, *Homeland Security Presidential Directive-3 (HSPD-3), Homeland Security Advisory System*, 11 March 2002. <http://knxup2.hsdl.org/homsec/docs/whitehouse/HSPD%203.pdf> (January 29, 2006).

⁴⁷ U.S. Government Accountability Office, *Homeland Security: Communication Protocols and Risk Communication Principles Can Assist in Refining the Advisory System*, GAO-04-682, June 2004 at www.gao.gov/new.items/d04682.pdf (accessed December 27, 2005).

- Preparation and prevention activities will develop ongoing partnerships between state and local governments and their federal counterparts.
- The state and local levels, where the majority of homeland security activities take place, provide the best opportunities for integration of homeland security efforts.
- DHS field regional personnel would be strategically located to integrate communications and coordination, contingency operations, planning and analysis, preparedness, training and exercises, and situational awareness.
- One of the DHS's overarching national priorities is to expand regionalization at the state and local levels through the National Preparedness Goal.

C. HYPOTHESES/POLICY OPTIONS

DHS should develop the capability to better engage state and local governments in a national homeland strategy in order to prevent, prepare for, respond to, and recover from future incidents of national significance. The current DHS organization centralizes coordination of homeland security activities within the Preparedness Directorate in Washington, D.C. Developing a DHS field structure will provide an environment to develop federal, state, and local partnerships to better coordinate homeland security planning and analysis, situational awareness, preparedness, and communications.

DHS is in the process of developing a program of Federal Preparedness Coordinators (FPC), who will coordinate homeland security activities in the Urban Areas Security Initiative (UASI) areas. The FPCs will be responsible for promoting the integration and synchronization of preparedness functions across jurisdictions and all levels of government, and leading the effort to enhance our national level of preparedness with particular focus in the Nation's highest risk areas. Each FPC will oversee the integrated preparedness efforts in their geographic area, including preparedness assessments, contingency planning, exercises and training, and information sharing.

The Homeland Security Act required DHS to submit a plan to Congress for consolidating the regional offices of agencies transferred to the Department; the Act does

not, however, provide specific guidelines for a regional structure or identify the purpose of the regional organization.⁴⁸ The DHS regional concept focused on three mission areas:

- Coordinating homeland security functions with federal, state, local, tribal and private sector stakeholders;
- Integrating the core functions of DHS components within the regions; and
- Enabling more effective and efficient delivery of DHS services within the regions.

The regional concept was not implemented, in part due to the inability to coordinate the transfer of component agency operational functions during contingency operations. The political and statutory concerns of integrating the core functions of DHS component agencies are not addressed in this paper. *The objective of this research project is to determine if a DHS field structure would provide a more effective approach to coordinating homeland security missions with state and local governments.*

⁴⁸ GAO, *Homeland Security*, Section 706.

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II. ORGANIZING HOMELAND SECURITY

A. DEVELOPING THE FEDERAL ROLE

Throughout much of the history of the United States, Civil Defense referred to non-military efforts to prepare the American populace for a military attack. Since the creation of the Federal Emergency Management Agency (FEMA), the term and practice of civil defense has been replaced by emergency management and homeland security.⁴⁹ The Department of Homeland Security (DHS) brought together twenty-two Federal agencies to consolidate the homeland security functions of the Federal government. Homeland security, however, extends beyond the Federal government. DHS must better engage state and local governments in a national homeland security strategy to fill existing shortfalls in coordinating prevention, preparedness, response, and recovery operations.

Until the establishment of DHS, the United States maintained a piece meal approach to emergency management. The initial emergency management efforts on the part of the Federal government were directed at compensating businesses for losses from disasters. The Congressional Act of 1803 waived duties and tariffs for goods after fire devastated the city of Portsmouth, New Hampshire. Over the following 127 years, Congress passed more than 100 pieces of legislation for restoration or compensation of damages resulting from disasters. During these years, however, there was no singular federal agency charged with emergency management.

In 1932, President Herbert Hoover established the Reconstruction Finance Corporation (RFC). The primary purpose of the RFC was distribution of loans to help stimulate the economy to recover from the Great Depression. The RFC was also tasked to distribute federal loans for repair and reconstruction of public facilities in areas impacted by earthquakes and later for other disasters. Distribution of recovery funds was later legislated to the Bureau of Public Roads for reconstruction of road and highways damaged by disasters and the Army Corps of Engineers for flood relief. Between 1932 and 1979 more than 100 federal agencies were responsible for some type of disaster

⁴⁹ Wikipedia, "United States Civil Defense," http://en.wikipedia.org/wiki/Civil_defense. (accessed September 20, 2006).

relief. This piecemeal approach to emergency management was fraught with scant interagency cooperation and bureaucracy.

In 1979, at the prompting of the National Governor's Association, President Jimmy Carter created the Federal Emergency Management Agency to coordinate all federal disaster relief efforts. With the establishment of DHS following the terrorist attacks of September 11, 2001, FEMA moved into the Emergency Preparedness and Response Directorate of the new department. FEMA and DHS were both severely chastised for their performance during the response to Hurricane Katrina, resulting in calls for FEMA to again become an independent agency. Although the agency remained in DHS, the director position has been upgraded and is now the Under Secretary of Federal Emergency Management.

B. THE DEPARTMENT OF HOMELAND SECURITY

Congress established the Department Homeland Security (DHS) to coordinate federal, state, local, tribal, and private sector efforts to prevent, prepare for, respond to, and recover from incidents of national significance. Entering its third year, DHS is making progress coordinating federal efforts, however, efforts to engage state and local governments have been limited to grant programs aimed at increasing local response capabilities. The Office of State and Local Government Coordination and Preparedness can not effectively manage state and local coordination from Washington, D.C. The current DHS organization for state and local coordination exceeds the effective span of control to be managed centrally from DHS headquarters. DHS component agencies have multiple internal jurisdictional boundaries. The component agencies with the Department of Homeland Security have maintained their field organizations without a coordinating DHS field organization. This continues to create confusion among state and local governments that often deal with several "DHS" officials with differing missions and points of view.

Part of the reason that DHS remains so ineffective is that it is not yet fully integrated; it remains merely a collection of variously dysfunctional components

operating under a common name, logo, and motto.⁵⁰ A primary function of DHS should be the integration of Federal homeland security efforts and developing interoperability with state and local agencies. An enterprise approach to reorganization should focus upon developing direction for what is needed to be accomplished instead of just taking old structures and having them do the same things over and over again.⁵¹

The creation of DHS has increased cooperation between agencies in the Department; however, each agency maintains its own operational control. Lack of common command and control structures and differing agency objectives contribute to a fragmented approach to homeland security. Recognizing that DHS is made up of agencies that retained their legacy functions and systems, DHS needs to establish unity of effort among DHS component agencies in order to achieve a national homeland security strategy. The White House Hurricane Katrina Lessons Learned report confirms the need to integrate and synchronize national homeland security policies, strategies, and plans across Federal, State and local governments.⁵²

DHS is a series of stovepipes.⁵³ A lack of unity of effort among DHS components and with Federal, State, and local partners appears to be one of the fundamental issues with current homeland security initiatives. “Integrating its many components into a single, effective, and economical department remains one of DHS’ biggest challenges.”⁵⁴ The Department was established to coordinate federal, state, and local efforts to prevent, prepare for, respond to, and recover from incidents of national significance. Although the establishment of DHS brought together many of the agencies

50 Congress, House Committee on Homeland Security, *Management Challenges Facing the Department of Homeland Security*, Hearing before the Subcommittee on Management, Integration, and Oversight, testimony of Clark Kent Ervin, 109th Cong., 1st Sess., 20 April 2005. <https://www.hsdl.org/homesec/docs/legis/nps17-042006-02.pdf>. (accessed July 17, 2006).

51 Congress, House Committee on Homeland Security, *Management Challenges Facing the Department of Homeland Security*, Hearing before the Subcommittee on Management, Integration, and Oversight, testimony of James Gilmore, 109th Cong., 1st Sess., 20 April 2005. <https://www.hsdl.org/homesec/docs/legis/nps17-042006-02.pdf>. (accessed July 17, 2006).

52 The White House, *The Federal Response to Hurricane Katrina: Lessons Learned*. <https://www.hsdl.org/homesec/docs/whitehouse/nps10-022306-01.pdf>. (accessed July 17, 2006).

53 House Committee on Homeland Security, *Management Challenges*, testimony of James Gilmore.

54 Ibid., testimony of Richard Skinner, April 20, 2005.

responsible for homeland security, the Department has not been successful in identifying roles and responsibilities among federal, state, and local departments and agencies.

The transformation of twenty-two federal agencies with multiple missions, values, and cultures into a single department presents the opportunity to create a national homeland security culture. Culture is the shared attitudes that encompass the beliefs, customs, knowledge, and practices that characterize an organization. Organizations depend upon culture to provide stability, security, understanding, and the ability to respond to a given situation.⁵⁵ DHS has not yet established a common culture within the department nor has it established a national homeland security culture. The agencies that moved into the department have retained their legacy identities with little alignment of organization values and control. GAO continues to identify DHS' transformation as high risk due to the challenges of implementing effective processes, developing partnerships, and establishing the management capacity to transform twenty-two agencies into one department.⁵⁶

Homeland security is a shared responsibility. DHS must be focused on enterprise solutions that actively engage state and local governments and the private sector in their implementation.⁵⁷ The homeland security culture should build a sense of shared responsibility among individuals, communities, the private sector, non-governmental organizations (NGOs), faith-based groups, and Federal, State, and local governments. DHS currently lacks the capability to effectively engage state and local governments in planning, information sharing, and analysis. The regional structure would allow DHS leadership to align DHS with Federal, state, and local partners to develop homeland security culture by providing clear, concise messages about the culture, attributes, and behaviors desired and how to create them.

⁵⁵ Donald R. Clark, "Organizational Behavior: The Big Dog's Leadership Page." <http://www.nwlink.com/~donclark/leader/leadob.html>. (accessed July 13, 2006).

⁵⁶ Government Accountability Office, *High Risk Series: An Update*, GAO-05-207 (Washington, D.C.: GPO, Jan 2005). <http://www.gao.gov/new.items/d05207.pdf>. (accessed July 17, 2006).

⁵⁷ House Committee on Homeland Security, *Management Challenges*, testimony of James Gilmore.

III. FEDERAL, STATE AND LOCAL COORDINATION

A. BUILDING PARTNERSHIPS

The Gilmore Commission posed the question: “If local responders are in fact our first line of defense, have we succeeded in effectively empowering and enhancing State and local capabilities?”⁵⁸

The United States Constitution assigns responsibility for public health and safety to the state governments. When an incident occurs, the resources of the local governments are used first to manage the incident. Local police, fire, and emergency medical services are usually sufficient to respond to small scale incidents. If the incident is beyond the capabilities of local government, or local resources become overwhelmed, the local government will request assistance from the state. Likewise, the state government may request assistance from the Federal government. DHS needs the ability to look at these homeland security issues from the perspective of state and local first responders.

Homeland security activities require close coordination between the Federal government and state and local governments in order to efficiently and effectively manage risk and allocate resources. Activities at each level affect the other levels. Homeland Security Presidential Directive 8 (HSPD-8) seeks to strengthen the preparedness of the United States to prevent and respond to threatened or actual domestic terrorist attacks, major disasters, and other emergencies by establishing mechanisms to improve the delivery of federal preparedness assistance to state, local, and tribal governments. The principles of federalism, however, limit the Federal government’s ability to mandate actions to state and local governments. The regional structure is intended to develop partnerships to facilitate and coordinate homeland security efforts across jurisdictions within the region.

There continues to be a lack of understanding between the Federal government and state and local governments about their roles in the national strategy.⁵⁹ DHS needs

⁵⁸ Gilmore Commission, The Fifth Annual Report to the President and the Congress of the Advisory Panel to Assess Domestic Response Capabilities for Terrorism Involving Weapons of Mass Destruction (Arlington, VA.: RAND, 2003).

to design and execute to coordinate the national strategy to coordinate required resources and to empower state and local governments to meet preparedness requirements of an all-hazards approach to homeland security. The operational response to a fast-moving disaster such as Katrina or 9/11 simply cannot be managed from Washington. It must be done on the ground, and must be led by individuals who are intimately familiar with the affected region.⁶⁰ It will require establishment of unified command, control, and coordination on the ground at the scene, for success. The current structure is too fragmented to allow this to occur.

State and local governments are looking for support and have high expectations of DHS to improve coordination between Federal, state, and local government, streamline the grant application process, consolidate training courses and programs, and equipment programs.⁶¹ The International Association of Chiefs of Police (IACP) contends that The National Homeland Security Strategy is flawed because it was developed by the Federal government, rather than by all levels of government.⁶² As a result, the strategy does not reflect a full presentation of national homeland security threats, vulnerabilities, and risks.

In support of the Gilmore Commission, RAND Corporation conducted three waves of surveys, which when taken together provide data on the planning and preparedness activities of first responder communities from just prior to the September 11 attacks through the fall of 2003. The data provide a snapshot of the issues state and local governments would like for DHS to improve.

⁵⁹ Gilmore, Fifth Annual Report to the President and the Congress.

⁶⁰ The George Washington Medical Center Homeland Security Policy Institute, Regionalizing Homeland Security: Unifying National Preparedness and Response http://www.gwu.edu/~dhs/reports/hspi_region_7_10_06.pdf (accessed September 20, 2006).

⁶¹ Gilmore, Fifth Annual Report to the President and the Congress.

⁶² International Association of Chiefs of Police. "From Hometown Security to Homeland Security." http://www.theiacp.org/leg_policy/HomelandSecurityWP.PDF. (accessed May 17, 2006).

70-80% expect DHS to...	Improve coordination, information sharing, and communication between Federal/State/local levels
60-70% expect DHS to...	Streamline grant application process across Federal grant programs
50-60% expect DHS to...	Standardize the grant application process across Federal agencies and consolidate multiple grant application requirements
40-60% expect DHS to...	Establish single point of contact at Federal level for information on available programs Provide primary contact at federal level instead of many on training, equipment, planning and other critical needs
45-60% expect DHS to...	Provide intelligence information and more detailed guidance on terrorist threat
40-60% expect DHS to...	Consolidate numerous training courses/programs and numerous equipment programs
40-60% expect DHS to...	Provide better, standardized templates and /or guidance to help with planning
30-40% expect DHS to...	Improve integration between public and private-sector efforts to improve defenses against terrorism and protect critical infrastructure
30-40% expect DHS to...	Help conduct threat assessment for jurisdiction or region

Table 1. In What Ways Do State/Local Responders Expect the DHS to Impact Them?⁶³

Emergency management follows the tiered structure established by the Constitution. Local authorities are responsible for incidents that occur within their jurisdiction. The state supports incidents which are beyond the capability of local responders or cross multiple jurisdictions. The Federal government provides the final layer of response capability. The layered approach provides a consistent commitment of resources that improve the ability of all levels of government to prevent terrorist attacks and to respond and recover effectively to the full range of threats faced by the nation.⁶⁴

⁶³ Gilmore, Fifth Annual Report to the President and the Congress.

⁶⁴ Ibid.

On average the Federal government requires 72 hours in order to marshal national assets to respond to a major incident.⁶⁵ When a catastrophic incident immediately overwhelms state and local resources, as occurred following Hurricane Katrina, a 72 hour delay in establishing a coordinated response can have serious consequences.⁶⁶ Developing regional response plans that integrate response requirements across all levels of government prior to an incident would reduce the delay in moving federal resources. Regional plans would identify state and local capabilities and anticipated gaps that need to be filled by federal resources, closing the 72-hour gap between the beginning of a major incident and the arrival national assets.

State governments provide the second response layer. Emergency Management Assistance Compacts (EMAC) agreements coordinate interstate resources that can help to sustain state and local response efforts until federal assistance arrives. Regional operations would facilitate the use of federal assets in the region during routine incidents strengthening the concepts of regional and multi-jurisdictional response into day-to-day emergency response operations. Regional planning coordination would allow Federal government resources to be pre-identified to fill state and local shortfalls and be quickly mustered to provide support during incidents that are beyond state and local capabilities. Additional federal resources would be coordinated through regional and national coordination centers.

The widespread damage caused by catastrophic incidents is generally regional in character, crossing multiple jurisdictions. A regional structure that marries preparedness, contingency planning, and incident management is all the more essential to confront catastrophic incidents.⁶⁷ DHS Regional Homeland Security Directors would be responsible for preparing for and responding to such incidents in the impacted region. Facilitating pre-incident interaction among emergency managers and federal, state, local officials builds trust and alleviates the problem of “exchanging business cards during a

⁶⁵ Jill D. Rhodes and James Jay Carafano, “State and Regional Responses to Disasters: Solving the 72-Hour Problem,” Background, No. 1962, August 21, 2006. <http://www.heritage.org/Research/HomelandDefense/bg1962.cfm> (accessed September 20, 2006).

⁶⁶ Ibid.

⁶⁷ George Washington Homeland Security Policy Institute, *Regionalizing Homeland Security*.

disaster.” Pre-established relationships make regional and multi-jurisdictional response during catastrophic events much less of a foreign concept.

Regionalization of preparedness and response functions among states and local governments serves to leverage scarce governmental preparedness funds, reduce duplication of effort and expenditure of limited resources. Successful regionalization must recognize that many effective efforts emanate from the bottom up. Regional offices, therefore, will need take into account and build upon existing regional collaborations at the state and local levels. Each regional office should develop a network of mutual aid agreements with the states within the region, so that federal resources can be deployed from the regional offices in support of emergency response activities that do not rise to the level of major disasters, emergencies, or other incidents of national significance. Each regional office would facilitate the development of regional mutual aid relationships within the geographic regions, including the development of regional response memorandums and interstate EMAC agreements.

The regional structure would provide state and local authorities with a single point of contact for federal support that is intimately familiar with the capabilities and needs within the region. This information will have been gained through careful multi-jurisdictional contingency planning and training, as well as through personal relationships with the lead state and local governments.

B. COMMUNICATIONS

GAO recommended that the Federal government provide support for developing (1) a national database of interoperable communication frequencies, (2) a common nomenclature for those frequencies, (3) a national architecture that identifies communications requirements and technical standards, and (4) statewide interoperable communications plans.⁶⁸

According to John Steinbit, Assistant Secretary of Defense for Networks and Information Integration, in a net-centric world all of the information is posted on the

⁶⁸ U.S. Government Accountability Office, *Homeland Security: Federal Leadership Needed to Facilitate Interoperable Communications Between First Responders*, GAO-04-1057T. September 8, 2004, www.gao.gov/new.items/d041057t.pdf. (accessed December 27, 2005).

network and users pull the information they require.⁶⁹ Jack Zavin, Chief of Information Interoperability for DOD, believes net-centricity empowers users with the ability to easily discover, access, integrate, correlate and fuse information and data that support their mission objectives.⁷⁰ Fusion Centers facilitate a daily exchange of information between homeland security entities at the federal, state and local government levels. In conjunction with the Joint Terrorism Task Force, the Information Fusion Centers would provide a regional risk assessment to provide specific threat information to state and local governments. The development of a layered approach to information sharing, fusing federal, state and local information and intelligence at the regional level provides another opportunity to identify potential terrorist activity and provide actionable information to law enforcement authorities.

The national strategy must develop a standardized and effective process for sharing information and intelligence among all stakeholders. The system should be capable of moving actionable information to the broadest possible audience allowing for heightened security with minimal economic and social consequences.⁷¹

C. PLANNING

I think that we dropped the ball long before Katrina hit by not doing the kind of catastrophic disaster planning that the Federal government should have been doing.⁷²

A significant factor in the Federal government's failure to respond adequately to Hurricane Katrina was the lack of a credible federal process for developing and coordinating contingency planning across levels of government. Effective response coordination requires contingency planning in advance of an incident. Contingency planning drives the resource allocation, training, exercises, and evaluations, which enable

69 John P. Stenbit, "Increasing the Flow of Tactical Intelligence: Interview with John P. Stenbit," interview conducted by Glenn W. Goodman, *Intelligence Surveillance, & Reconnaissance Journal*, March 2004, <http://knxup2.hsdl.nps.navy.mil/homesecc/ebird/s20040305/s20040305263664.html>. (accessed December 31, 2005).

70 Jack Zavin, "Net-centricity Has Many Moving Parts: Interview with Jack Gavin," Interview conducted by Richard W. Walker and Dawn S. Onley, *Government Computer News*, 23 no. 25, 30 August 2004, www.gcn.com/23_25/news/27085-1.html. (accessed December 31, 2005).

71 Gilmore, *Fifth Annual Report to the President and the Congress*.

72 Fox News Interview with Michael Brown.

a rapid regional response. Thus, hurricane Katrina highlighted the need to train operations personnel for evacuation, continuity of government, and restoring critical infrastructure.⁷³

Hurricane Katrina also pointed out the weakness in the regional planning and coordination structures as a flaw in the national preparedness system.⁷⁴ Coordinating operational planning efforts across multiple levels of government agency jurisdictions is one of the most significant challenges facing national preparedness efforts. Contingency planning efforts should be directed at pre-identifying federal, state, and local resources and capabilities that will be required to respond to incidents in the region. The enormity of preparedness planning challenges requires a coordinated effort across all levels of government. Collaboration, communication, integration, process management, and the aggregation of multiple layers of planning will be required to prepare for incidents of national significance.

The national planning strategy should build strong preparedness and readiness capabilities across federal, state and local boundaries with corresponding processes that provide an enterprise-wide capacity to plan equip, train, and exercise against measurable standards.⁷⁵ Preparedness requires operational planning that coordinates information flow and interoperability across multiple levels of organizations responsible for responding to emerging threats and incidents. Coordinating federal, state, and local incident response requires a standard approach to:

- Manage a coordinated regional response across multiple agencies and levels of government;
- Allow responders to share information through a common operational picture;
- Coordinate operational procedures and policies;

⁷³ DHS/FEMA, “Initial Response Hotwash.”

⁷⁴ White House, *Hurricane Katrina Lessons Learned*, 53.

⁷⁵ Gilmore, Fifth Annual Report to the President and the Congress.

- Identify available response capabilities; and
- Provide interoperable equipment.

HSPD-8 directs the Secretary to coordinate with state and local government officials to establish equipment standards that support national preparedness capabilities. Standardizing preparedness efforts across multiple jurisdictions that have separate budgetary and local priorities presents a significant challenge. As the focal point for preparedness and emergency planning, DHS needs to understand local and state government priorities and capabilities in order to properly develop federal preparedness plans. Regional planning efforts will help to gain awareness of specific resources available across multiple agencies, jurisdictions, and governments. Agency specific policies and procedures could then be coordinated to meet standard operating guidelines for ease of integration into a larger response capability.

Preparedness planning in federal, state, and local agencies needs to work across agency jurisdictions to develop, exercise, and modify contingency plans. Bringing together representatives from each level of government provides a means to integrate individually developed plans. Most planning efforts require the ability to develop incremental plans that are easily scalable to integrate across multiple levels of government to respond to large scale and complex incidents. State and local governments require the capability to contribute to Federal planning efforts while maintaining responsibility for their own planning efforts. Planners at the federal level need to understand the vulnerabilities, capabilities, and organization of state and local governments and first responder agencies to properly prepare federal response plans. For example, in rural areas there are few responders and they are required to respond to all incidents, including terrorism. State and local governments do not have sufficient staff and resources to accomplish the requisite planning and preparedness activities to attain a viable readiness posture for a large to catastrophic disaster.⁷⁶

⁷⁶ DHS/FEMA, “Initial Response Hotwash.”

IV. SHORTFALLS OF A CENTRALIZED FEDERAL APPROACH TO HOMELAND SECURITY

Following the events surrounding Hurricane Katrina, homeland security observers have reached a near consensus that the current DHS organization for state and local coordination exceeds the effective span of control to be managed centrally from DHS headquarters. It is clear from reports following Katrina that we must strengthen the emergency management system—that means strengthening the Federal, state and local capabilities.⁷⁷ In particular, DHS requires the ability to identify the federal resources needed to support state and local emergency managers. While responsibility for national security rests with the Federal government, the precepts of federalism make every level of government and region of the country both a contributor to, and responsible for, homeland security.⁷⁸ As a result, understanding state and local prevention and response capabilities, organizations, threats, vulnerabilities, and politics is an essential element to planning a homeland security strategy.

Federalism creates a fundamental, systematic tension in a national planning framework. On the one hand, State and local governments have different needs, conditions, and requirements and require flexibility to shape their preparedness and emergency response programs to best meet their concerns.⁷⁹ On the other hand, the Federal government has a strong interest in centralization. The Homeland Security Operation Center (HSOC), for instance, serves as the primary hub for domestic incident management, operational coordination, and situational awareness for the entire country. The HSOC's responsibility for fusing homeland security information from across the nation, however, currently has no national network to coordinate intelligence and information sharing from the state and local level. All that data, and its analysis and interpretation occurs only at the federal level. The consequence is predictable. Based upon personal observations in the HSOC, the fusion of homeland security information across the nation is inconsistent and few states fuse information across the many

⁷⁷ Carafano and Weitz, "Learning from Disaster."

⁷⁸ White House, Hurricane Katrina Lessons Learned, 67.

⁷⁹ Carafano and Weitz, "The Truth About FEMA."

emergency management disciplines. Without any integration mechanisms to synthesize relevant homeland security information at a lower level, the HSOC is bound to miss relevant information that could prevent a terrorist attack. Information overload causes relevant information to get lost among the volumes of information received. At the same time, when information exchange happens only infrequently the process and protocols for managing information are ignored or forgotten.⁸⁰

This systemic tension between decentralization among states and local governments and the centralization of federal operational responsibility continues to obstruct the Department's efforts to successfully establish itself as a single primary point of contact for state and local governments. DHS component agencies have maintained their pre-existing field structures and continue to coordinate independently with state and local governments. The diverse construction of the federal agency field structures, including the misaligned field structures of DHS component agencies, continues to create confusion and miscommunications with state and local officials. Efforts to coordinate homeland security functions across the Department have resulted in the transfer or shared responsibility among DHS Headquarters and component agencies. Since moving into DHS, FEMA's planning and coordination responsibilities have been shared by other offices and agencies in the Department.⁸¹ As a result, FEMA regional offices are no longer a single point of contact for state and local emergency managers.

Given these tensions and problems, this chapter will examine how reform for the DHS regional structure would significantly improve homeland security preparedness. In particular, a new regional structure would be able to coordinate DHS functions and information through senior leadership positions located regionally where they are closer to state and local officials. A regional office would provide state and local officials a single point of contact to coordinate training, equipment, planning, exercises and other critical homeland security missions within the region. It would also coordinate homeland security grant programs to enhance the regional preparedness of firefighters, police, and

⁸⁰ Richard Andrews, "Testimony Presented to: National Commission on Terrorist Attacks Upon the United States," November 19, 2003. <http://knxup2.ad.nps.navy.mil/homesecc/docs/dhs/nps16-041505-11.pdf>. (accessed January 29, 2006).

⁸¹ White House, Hurricane Katrina Lessons Learned, 53.

emergency medical personnel and evaluate state and local preparedness activities and equipment against the National Preparedness Goal.

A. HOMELAND SECURITY ORGANIZATION

The nature of American society and the federalist structure of American governance make it difficult to achieve the goal of securing the country through the Federal government alone. The Homeland Security Act of 2002, Pub. L. No. 107-296, established the Department of Homeland Security (DHS) in the largest government reorganization since World War II. The creation of DHS establishes a single agency focused on protecting the United States from terrorism and other hazards. Homeland security, however, is a shared responsibility and partnership between more than 87,000 federal, state and local jurisdictions.⁸² Coordinating homeland security across this vast array of jurisdictions will require the Department to develop partnerships that promote collaboration across all levels of government and develop strong state and local capabilities.

The National Homeland Security Strategy calls for an integrated strategy connecting all levels of government in collaborative effort. DHS provides state and local governments a single federal agency to coordinate homeland security functions. Homeland security efforts such as infrastructure protection require close coordination to conduct vulnerability assessments, strategic planning, and training and exercises. In order to provide better coordination with state and local governments, the DHS Office of Infrastructure established Protective Security Advisors in high risk cities throughout the country. Likewise during an incident of national significance the Federal government must be prepared to augment state and local response and recovery efforts. The nature of DHS' preparedness mission requires a robust capability to engage state and local governments.

⁸² "DHS Organization Department Structure," <http://www.dhs.gov/dhspublic/display?theme=9> . (accessed September 20, 2006).

1. Establishing DHS

The Homeland Security Act established the Department with four directorates, each lead by an Undersecretary to coordinate the twenty-two agencies that moved into DHS:⁸³

- Border and Transportation Security
- Emergency Preparedness and Response
- Chemical, Biological, Radiological and Nuclear Countermeasures
- Information Analysis and Infrastructure Protection

DHS also brought together federal programs to provide assistance to state and local governments for domestic disaster preparedness training of first responders and coordination of the government's disaster response efforts. As part of the single agency focus, Congress and the President tasked DHS to integrate the federal interagency emergency response plans into a single, comprehensive, government-wide plan, and ensure that all response personnel have the equipment and capability to communicate with each other as necessary.

A number of grant programs were consolidated into the newly created department. The Department became the administrator for federal grant programs for firefighters, police, and emergency personnel. The Office for Domestic Preparedness, which was established in the Justice Department to develop and administer training and equipment programs to assist state and local governments, became part of the newly established Office of State and Local Government Coordination and Preparedness within the Office of the Secretary of Homeland Security.⁸⁴ ODP had the primary responsibility within the Federal government to prepare the country to respond to acts of terrorism, including the following:⁸⁵

⁸³ The President of the United States, "Department of Homeland Security," June 2002. <http://www.dhs.gov/interweb/assetlibrary/book.pdf> (accessed September 20, 2006).

⁸⁴ Department of Justice, "About Grants & Training," <http://www.ojp.usdoj.gov/odp/about/overview.htm>. (accessed September 20, 2006).

⁸⁵ DHS, "Department of Homeland Security Reorganization Plan," November 25, 2002. http://www.dhs.gov/interweb/assetlibrary/reorganization_plan.pdf (accessed September 20, 2006).

- Coordinate preparedness efforts at the Federal level, and work with all State, and local emergency response providers on all matters pertaining to combating terrorism, including training, exercises, and equipment support.
- Coordinate or, as appropriate, consolidate communications and systems of communications relating to homeland security at all levels of government.
- Direct and supervise terrorism preparedness grant programs of the Federal government for all emergency response providers.
- Incorporate homeland security priorities into planning guidance on an agency level for the preparedness efforts of the Office for Domestic Preparedness.
- Provide agency-specific training for agents and analysts within the Department, other agencies, and State and local agencies, and international entities.
- As the lead executive branch agency for preparedness of the United States for acts of terrorism, cooperate closely with the FEMA, which has the primary responsibility within the executive branch to prepare for and mitigate the effects of non-terrorist-related disasters in the United States.
- Assist and support the Secretary, in coordination with other Directorates and entities outside the Department, in conducting appropriate risk analysis and risk management activities of State, and local governments consistent with the mission and functions of the Directorate.
- Supervise those elements of the Office of National Preparedness of FEMA that relate to terrorism, pursuant to Section 430 of the Act.

The Department also consolidated the state and local coordination functions of other federal agencies. The Federal Emergency Management Agency (FEMA) moved into the Emergency Preparedness and Response Directorate. FEMA is responsible for providing a comprehensive, risk-based, all-hazards emergency management program of preparedness, mitigation, response, and recovery. Many of the state and local liaison

programs and all grant programs previously operated out of the FEMA regional offices were also moved to DHS headquarters.⁸⁶ EP&R and FEMA were charged with providing the Federal government's response to terrorist attacks and major disasters, including:⁸⁷

- Managing the federal response;
- Directing the Domestic Emergency Support Team, the Strategic National Stockpile, the National Disaster Medical System, and the Nuclear Incident Response Team;
- Overseeing the Metropolitan Medical Response System;
- Coordinating other Federal response resources in the event of a terrorist attack or major disaster.
- Aiding the recovery from terrorist attacks and major disasters;
- Building a comprehensive national incident management system with Federal, State, and local government personnel, agencies, and authorities, to respond to such attacks and disasters.
- Consolidating existing Federal government emergency response plans into a single, coordinated national response plan; and
- Developing comprehensive programs for developing inter-operative communications technology, and helping to ensure that emergency response providers acquire such technology.

Providing intelligence and warning from the Federal government to state and local governments is a primary function of the Federal government's homeland security strategy. The Assistant Secretary for Infrastructure Analysis (IA) is responsible for sharing law enforcement information and intelligence-related information relating to homeland security with state and local officials. In conjunction with the Assistant Secretary for Infrastructure Protection, IA integrates intelligence, critical infrastructure

⁸⁶ White House, Hurricane Katrina Lessons Learned, 54.

⁸⁷ DHS, "Department of Homeland Security Reorganization Plan."

and key asset information to develop vulnerability assessments and risk analysis in order to identify protective security measures for federal, state, and local governments.⁸⁸

A regional field structure is missing from the Department of Homeland Security organization. Section 706 of the Homeland Security Act requires that not more than one year after enactment of the Act, DHS shall submit a plan for consolidating and co-locating regional offices.⁸⁹ Congress did not specify the functional requirements for the regional structure. Although it appears the intent was twofold: 1) consolidate offices to alleviate duplication of effort and save money; and 2) provide a full array of DHS functions under one roof. Currently DHS field functions are scattered throughout the component agency field offices. DHS headquarters provides the only single point of contact homeland security for 87,000 state and local jurisdictions.

2. Second Stage Review (2SR)

Shortly after becoming the Secretary of Homeland Security, Michael Chertoff, announced his intention to review the department's organizations and policies in order to establish the best organization to meet the Department's missions. The guiding principle of the review, he announced, was that "DHS must base its work on priorities driven by risk. Our goal is to maximize our security, but not security at any price. Our security regime must promote Americans' freedom, prosperity, mobility, and individual privacy."⁹⁰

In July 2005, Secretary Chertoff announced his six-point agenda to align the Department's policies, operations, and structures to address potential threats to the nations. The six-point agenda will:⁹¹

⁸⁸ DHS, "Department of Homeland Security Reorganization Plan."

⁸⁹ DHS, Homeland Security Act of 2002, sec 706.
http://www.dhs.gov/interweb/assetlibrary/hr_5005_enr.pdf (accessed September 20, 2006).

⁹⁰ Homeland Security Secretary Michael Chertoff Announces Six-Point Agenda for Department of Homeland Security July 13, 2005
http://www.dhs.gov/dhspublic/interapp/press_release/press_release_0703.xml

⁹¹ DHS, "Homeland Security Secretary Michael Chertoff Announces Six-Point Agenda for Department of Homeland Security," July 13, 2005.
http://www.dhs.gov/dhspublic/interapp/press_release/press_release_0703.xml (accessed September 20, 2006).

- Increase overall preparedness, particularly for catastrophic events;
- Create better transportation security systems to move people and cargo more securely and efficiently;
- Strengthen border security and interior enforcement and reform immigration processes;
- Enhance information sharing with our partners;
- Improve DHS financial management, human resource development, procurement and information technology; and
- Realign the DHS organization to maximize mission performance.

The Second Stage Review established the Preparedness Directorate to coordinate preparedness measures with state and local governments based on risk. The Preparedness Directorate works with state and local governments to identify threats and vulnerabilities and develop protective measures to manage the risk to critical infrastructure and key assets. The Preparedness Directorate:⁹²

- Consolidates preparedness assets across the Department;
- Facilitates grants and oversees nationwide preparedness efforts by supporting first responder training, citizen awareness, public health, infrastructure and cyber security and ensures proper steps are taken to protect high-risk targets;
- Focuses on cyber security and telecommunications;
- Addresses threats to our nation's public health through the Chief Medical Officer, who coordinates preparedness efforts against biological attacks; and
- Is responsible for infrastructure protection, training and exercises, the U.S. Fire Administration, and the Office of National Capitol Region Coordination.

⁹² DHS, "Organization Preparedness Directorate."

The Office of State and Local Government Coordination and Preparedness, which previously assisted states and local governments to prevent, deter, and respond to terrorist acts, was incorporated into the Office of Grants and Training (G&T) within the Preparedness Directorate. G&T provides assistance through federal funding, coordinated training, exercises, equipment acquisition, and technical assistance. The Office of State and Local Government Coordination and Preparedness was merged into the Preparedness Directorate under the Office of Grants and Training as part of the 2SR reorganization.

The Second Stage Review does not address the establishment of a regional organization. DHS is structured as a headquarters organization with a centralized management approach. Within the Department, the current organization has at least twenty-six direct reports to the Secretary within the Department. Coordinating homeland security with the states and territories adds another fifty six principals who coordinate directly with the Secretary. The current organization does not appear to provide the capability to adequately facilitate state and local coordination.

The diversity of emergency management agencies and the complexity of coordinating homeland security functions across multiple layers of government suggest the need for a narrower span of control than is available from DHS headquarters. Increasing the span of control and flattening organizational structures, however, can increase efficiency by creating better communication flow and decreasing internal competition.⁹³ Decentralizing functions also provides the opportunity to flatten the organization. Establishing a regional office to coordinate among five to seven states provides the span of control needed for the diversity and complexity of coordinating homeland security functions, while decreasing the direct reports to the Secretary by decentralizing the state and local coordination functions.

B. UNCOORDINATED RESPONSE TO HURRICANE KATRINA

One of the lessons to be learned from the Federal response to Hurricane Katrina is that Washington can not answer all of the homeland security needs of the Nation, especially in response to a catastrophic disaster.⁹⁴ “Washington can be expected to lead,

93 Harriet Richardson, Senior Management Auditor Nancy McDaniel, Management Auditor Beckett Thomsen, Management Auditor Intern, “Span of Control,” Report No. 94-1, King County Washington Auditor <http://www.metrokc.gov/auditor/1994/span.htm> (accessed September 20, 2006).

94 Carafano and Weitz, “Learning from Disaster.”

but we cannot, nor should not, micro-manage the protection of our country. Instead, it must be a priority in every city, every neighborhood, and every home across America.”⁹⁵ James Jay Carafano of the Heritage Institute argues that federal efforts are not sufficient, they are designed to support, not supplant state and local efforts.⁹⁶ The uncoordinated and unorganized federal response to Hurricane Katrina resulted from a lack of situational awareness and coordination at all levels of government. The *Federal Response to Hurricane Katrina: Lessons Learned* identified several flaws in the national preparedness effort which would not have existed if there had been closer coordination between federal, state, and local governments prior to the hurricane.⁹⁷ The White House report identified the following flaws:

- Lack of reliable situation reports
- Failure to establish a unified command
- Lack of coordination or knowledge of preparedness plans
- Lack of a coordinated federal response
- Insufficient regional planning and coordination

Katrina affected an area over 90,000 square miles, disrupted the lives of millions and destroyed or degraded most of the region’s infrastructure.⁹⁸ The extent of the disaster presented an unprecedented challenge to emergency responders all levels of government. State and local agencies are the first line of defense in protecting their communities, not only from terrorism but also natural disasters and other emergencies.⁹⁹ State and local emergency managers and first responders, however, struggled to maintain control of the incident until federal resources arrive.

⁹⁵ “Tom Ridge Speaks at the 79th American Red Cross Convention.” http://www.redcross.org/article/0,1072,0_332_2729,00.html (accessed September 20, 2006).

⁹⁶ Carafano and Weitz, “Learning from Disaster.”

⁹⁷ White House, *Hurricane Katrina Lessons Learned*, 52.

⁹⁸ James Jay Carafano, “Improving the National Response to Catastrophic Disaster,” Statement before the Committee on Government Reform House of Representatives, September 15, 2005. http://www.heritage.org/Research/HomelandDefense/tst091505a.cfm?renderforprint=1#_ftn5#_ftn5 (accessed September 20, 2006).

⁹⁹ National Governors Association, “Best Practices: Homeland Security,” <http://www.nga.org/portal/site/nga/menuitem.1f41d49be2d3d33eacdcbbeb501010a0/?vgnextoid=c3bbeb32eeea4010VgnVCM1000001a01010aRCRD> (accessed September 20, 2006).

Hurricane Katrina quickly exhausted state and local resources. The extent of the devastation also limited the available assistance from surrounding emergency management agencies. The lack of communication and situational awareness left state and local government leaders unable to determine response priorities. There was not a total picture of the situation on the ground, the capabilities that were on the way, the missions that had been resourced, or the missions that still needed to be completed.¹⁰⁰ As Department of Defense assets arrived in the days following Katrina, there was confusion about the military roles and responsibilities and command and control of National Guard forces. The military's efforts to respond quickly and effectively to Hurricane Katrina were further hampered by a lack of timely damage assessment, communications problems, and lack of overall situational awareness.¹⁰¹

C. WHAT IS LACKING?

A regional organization could have significantly contributed to improving coordination for catastrophic disasters.¹⁰² State and local coordination from DHS headquarters does not appear to provide DHS officials the ability to become familiar with the peculiar needs of state and local governments within their jurisdictions areas.¹⁰³ Likewise, DHS officials are not familiar with state and local capabilities. No one knows the needs of their hometown communities better than the local leaders, first responders, and emergency personnel. These hometowns must be actively engaged for homeland security to work.¹⁰⁴ Pre-identifying state and local capabilities and anticipated gaps that require federal assets would help to speed deployment, thereby closing the average 72-hour gap between the beginning of a major incident and the arrival of federal assets.

The centralized organization of DHS limits national homeland security coordination. DHS appears to be out of touch with state and local homeland security

100 United States Government Accountability Office, "Hurricane Katrina: Better Plans and Exercises Need to Guide the Military's Response to Catastrophic Natural Disasters." Statement for the Record to the Subcommittee on Terrorism, Unconventional Threats and Capabilities, Committee on Armed Services, House of Representatives. GAO-06-808T, May 25, 2006. <http://www.gao.gov/new.items/d06808t.pdf> (accessed September 20, 2006).

101 GAO, "Hurricane Katrina."

102 Edwin Meese III, James Jay Carafano, and Richard Weitz, "Organizing for Victory: Proposals for Building a Regional Homeland Security Structure," Heritage Backgrounder #1817, January 21, 2005.

103 Meese, Carafano, and Weitz, "Organizing for Victory."

104 "Tom Ridge Speaks at the 79th American Red Cross Convention."

planning and resource requirements. The regional offices would consolidate and synchronize preparedness functions at the field level. FEMA's primary responsibility is to coordinate the federal agencies during response and recovery. FEMA maintained its regional structure after moving into DHS, however, FEMA's planning and coordination capabilities and responsibilities were moved to other DHS offices.¹⁰⁵ G&T distributes grants to support state and local homeland security efforts, but is not in apposition to evaluate regional capabilities. The department has the responsibility to coordinate all aspects of homeland security. In 2004 GAO reported that federal emergency preparedness grants were often spent without consideration of whether the assets and resources being purchased were available in neighboring jurisdictions and could be shared.¹⁰⁶ In response to problems encountered during Katrina, DOD recognized the need for better coordination and will be assigning specially trained defense department personnel at FEMA regional offices to coordinate with DHS and state and local officials.¹⁰⁷

DHS field offices for instance, would be well-placed to overcome the fragmentation of responsibilities and capabilities between states, local, and Federal governments during strategy development and planning. They would provide federal leadership in coordinating effective, unified national strategies that, according to the Gilmore Commission, require radical changes in attitudes and culture to bring the diverse agencies and security disciplines together to move from broad conceptual principles to organizational plans.¹⁰⁸ To date, coordination and oversight of homeland security efforts at the Federal level has yielded limited success. Centralizing efforts at the federal level has not engaged state and local governments in order to coordinate strategies or the sharing of homeland security information. DHS headquarters has not yet synthesized efforts to eliminate duplication of effort among government entities and has not successfully integrated homeland security functions across levels of governments.

¹⁰⁵ White House, Hurricane Katrina Lessons Learned, 53.

¹⁰⁶ U.S. Government Accountability Office, Homeland Security: Effective Regional Coordination Can Enhance Emergency Preparedness, GAO-04-1009, November 2004, at www.gao.gov/new.items/d0549.pdf (accessed January 6, 2005).

¹⁰⁷ GAO, "Hurricane Katrina: Better Plans."

¹⁰⁸ Gilmore, Fifth Annual Report to the President and the Congress.

V. ALTERNATIVE STRATEGIES

A. FACILITATING THE NATIONAL STRATEGY THROUGH A REGIONAL APPROACH TO HOMELAND SECURITY

From the early days of DHS' formation, a regional structure of governance for homeland security has been one of the primary options considered by Congressional and executive Branch officials. The first Secretary of Homeland Security, Tom Ridge, was a proponent of DHS regions. DHS, more than any other cabinet agency, depends upon the integration of people, capabilities, and information to achieve its mission.¹⁰⁹ Regional offices would position the Department closer to the people who are the first line of defense thereby strengthening the critical connections.¹¹⁰ As envisioned by some in these early debates, DHS would be responsive to state and local variations in risks and needs if it developed regional offices in order to facilitate a unified national effort. The DHS region's primary role would be to effectively coordinate and integrate homeland security functions across the nation. According to some observers, recent preparedness problems underscore the point that regionalizing our national preparedness system would be the very linchpin that connects all of the elements of our preparedness and response.¹¹¹

The Homeland Security Act of 2002 established the Department of Homeland Security and tasked the Secretary of Homeland Security to coordinate homeland security with state and local government personnel, agencies, and authorities, and with the private sector.¹¹² The Act also required DHS to submit a plan to Congress for consolidating the regional offices of agencies transferred to the Department. The Act did not, however, provide specific guidelines for a regional structure or identify the purpose of the regional organization.¹¹³ The Department developed a plan for establishing regions, however,

¹⁰⁹ Ridge, "Measuring Homeland Security."

¹¹⁰ Ibid.

¹¹¹ Cilluffo, "Hurricane Katrina Recommendations."

¹¹² Homeland Security Act of 2002, Public Law 107-296, November 25, 2002, at <http://knxup2.ad.nps.navy.mil/homesecc/docs/Legis/PL107-296.pdf>, Section 801. (accessed December 31, 2005).

¹¹³ Ibid., Section 706.

according to former DHS Secretary Tom Ridge the plan is sitting on the shelf.¹¹⁴ The consolidation and relocation of the regional offices of the agencies that moved into DHS was too political and never made it to Congress.¹¹⁵ The result has been that DHS continues to rely upon personnel in Washington, D.C. to coordinate with state and local governments throughout the country.

There is a surprising consensus as to the need for a regional DHS structure, shared by the drafters of the Homeland Security Act of 2002, the first Secretary of Homeland Security, the White House, the House of Representatives Select Bipartisan Committee, the Senate Committee for Homeland Security and Governmental Affairs, and scholars and policy experts from across the political and intellectual spectrum, as well as state, local, and private sector leaders. Katrina has strengthened that consensus.¹¹⁶

According to many homeland security experts, coordination and integration of federal, state, and local homeland security functions will achieve a higher level of preparedness nationwide than if each area was left to pursue their own plans and duplicate resources and capabilities. DHS regions will be able to provide a coordinated homeland security capability to more rapidly respond to threats and incidents where and when it is needed. The DHS regions, this near consensus view maintains, would provide a structure to coordinate homeland security capability to more rapidly respond to threats and incidents where and when it is needed.

DHS began developing a regional strategy over two years ago, but has yet to execute that strategy. Previous efforts to evaluate a DHS regional structure have focused on the region being the integration point for DHS component agency operations. Focusing inwardly, however, fails to meet DHS's fundamental mission requirement. Emphasizing the integration of DHS operations misses the opportunity to better engage the state and local governments that are the heart of Homeland Security. The state and local levels, where the majority of homeland security activities take place, provides the

¹¹⁴ Ridge, "Measuring Homeland Security."

¹¹⁵ James Jay Carafano, "Federal Preparedness, Military Officials May Soon Populate Regional FEMA Offices," Republished with permission from Congressional Quarterly, March 16, 2006 http://www.metrokc.gov/prepare/docs/Eric_Corner/eric_cornerCQarticle.aspx (accessed September 20, 2006).

¹¹⁶ George Washington Homeland Security Policy Institute, "Regionalizing Homeland Security."

best opportunities for integration of homeland security efforts. Could the terrorist attacks of 9/11 have been avoided if state law enforcement officers had been able to access federal information identifying Mohammed Atta as a suspected terrorist? DHS should shift the focus of the regional concept to assist state and local governments in the development of prevention, preparedness, and response and recovery activities.

In the National Strategy for Homeland Security, the President recognized the crucial role of state and local governments in providing for homeland security. The traditions of federalism in the United States require that organizations outside of the Federal government take the lead in many homeland security initiatives.¹¹⁷

B. FEDERAL REGIONS

The United States has a history of administering federal activities through regional structures in an attempt to standardize the delivery of federal programs to the states. President Nixon designated ten Standard Federal Regions for domestic departments and agencies as part of his government reorganization plan in 1969. The Office of Management and Budget (OMB) established the regional organization in OMB Circular A-105, “*Standard Federal Regions*” in April, 1974. Standard Federal Regions were established to achieve more uniformity in the geographic jurisdictions of Federal field offices. Standard regions provided a basis for promoting more systematic coordination among agencies and federal, state, and local governments and for securing management improvements and economies through greater interagency and intergovernmental cooperation.¹¹⁸ OMB Circular A-105, provides guidance on the policies and requirements governing the regions. Although the circular was rescinded in 1995 as part of the Reinventing Government effort, a number of Federal agencies closely align with the standard federal regions.

Under OMB Circular A-105, regional boundaries and regional headquarters cities were established for ten regions. Federal agencies were required to adopt the uniform system when organizational changes were proposed or new offices established. The standard federal regions were:

¹¹⁷ White House, National Strategy for Homeland Security.

¹¹⁸ OMB, OMB Circular A-105, April 4, 1974. Copy provided by Steve Mertens, Chief Homeland Security Branch, Office of Management and Budget.

- Region I: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
- Region II: New Jersey, New York, Puerto Rico, Virgin Islands
- Region III: Delaware, Maryland, Pennsylvania, Virginia, West Virginia
- Region IV: Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee
- Region V: Illinois, Indiana, Michigan, Minnesota, Ohio, Wisconsin
- Region VI: Arkansas, Louisiana, New Mexico, Texas, Oklahoma
- Region VII: Iowa, Kansas, Missouri, Nebraska
- Region VIII: Colorado, Montana, North Dakota, South Dakota, Utah, Wyoming
- Region IX: Arizona, California, Hawaii, Nevada (American Samoa, Guam, Northern Mariana Islands, Trust Territory of the Pacific Islands)
- Region X: Alaska, Idaho, Oregon, Washington

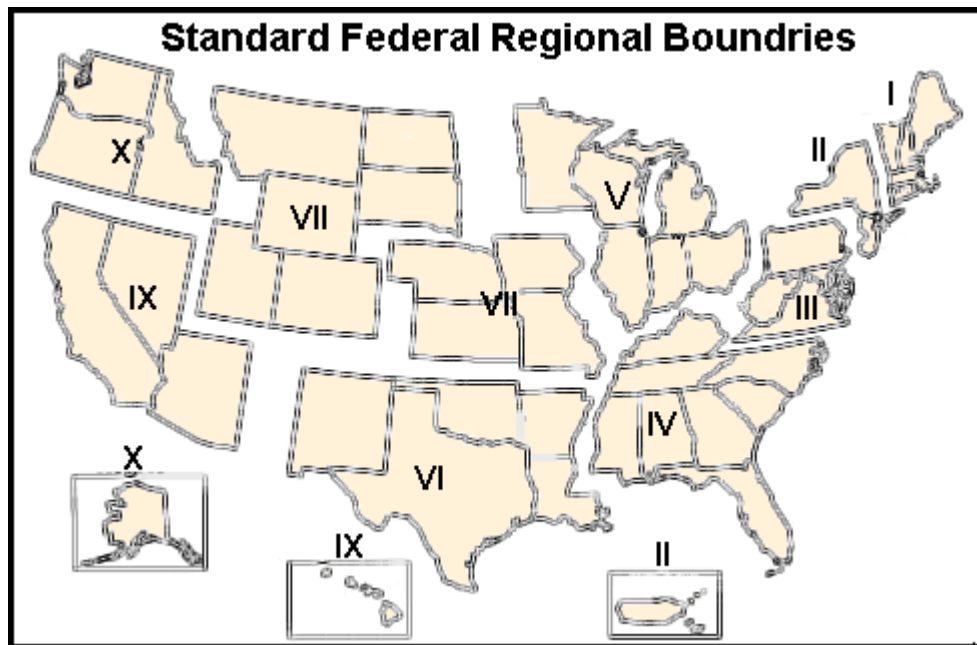


Figure 1. Standard Federal Regional Boundaries¹¹⁹

¹¹⁹ Wikipedia, List of Regions of the United States.
http://en.wikipedia.org/wiki/Regions_of_the_United_States. (accessed September 20, 2006).

Within DHS, FEMA and the Coast Guard and several other legacy agencies maintain regional structures. Both agencies can trace these structures to predecessor organizations. The boundaries and number of regions have changed, through out the history of each agency based on organizational needs. FEMA's regional boundaries reflect the standard federal regions established by President Nixon.

1. FEMA Organization

From the establishment of the Office of Civilian Defense (OCD) in 1941, a regional structure has been used to administer Federal government civil defense and emergency management activities. When it was originally established OCD functioned through eight regional offices strategically located throughout the continental United States. This regional structure evolved through a variety of changes in civil defense and emergency management organizations. OCD worked closely with state and local governments to develop their capability to take effective action in during emergencies. In 1961 the Office of Emergency Preparedness (OEP) was established to oversee nonmilitary emergency preparedness programs. OCD coordinated its functions with OEP and other federal agencies having emergency management responsibilities. Civil defense and emergency management were based on the premise that state, and local governments respond first and federal assets supplemented the response when required.¹²⁰ OEP was abolished in 1972 and the regional structure was increased to ten regions with the creation of the Civil Defense Preparedness Agency.¹²¹

The Director of FEMA was authorized to establish regional offices as necessary to carryout its mission.¹²² The agency adapted the OEP regional structure when it was established in 1979. FEMA maintained its regional structure after moving into DHS. The ten regional offices, which implement FEMA policies at the regional level, are

120 GAO, "Activities and Status of Civil Defense in the United States, Department of the Army, October 26, 1971." Available online at: <http://archive.gao.gov/f0302/095495.pdf>. (accessed August 1, 2005).

121 The National Archives Records of the Office of Emergency Preparedness <http://www.archives.gov/research/guide-fed-records/groups/396.html> (accessed September 20, 2006).

122 42 U.S.C. 5197 <http://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=400414>

responsible for liaison with other federal agencies, and state and local governments.¹²³ The Regional Directors recommend changes in the implementation of FEMA policies and improvements to procedures. The primary mission of the regional office is respond to and recovery from disasters.

In a catastrophic disaster, FEMA coordinates the federal response, working with twenty-eight federal partners and the American Red Cross to provide emergency food and water, medical supplies and services, search and rescue operations, transportation assistance, environmental assessment, and more.¹²⁴ The FEMA region initiates the Federal response to a disaster and coordinates federal response and recovery missions.

2. U.S. Coast Guard Organization

The Coast Guard evolved through the incorporation of five federal agencies: the Revenue Cutter Service, the Lighthouse Service, the Steamboat Inspection Service, the Bureau of Navigation, and the Lifesaving Service. These agencies were shuffled around the government and were finally united as the Coast Guard in 1939. The multiple missions and responsibilities of the modern Service are directly tied to this diverse heritage and the magnificent achievements of all of these agencies.¹²⁵

The Coast Guard traces its district structure back to the establishment of the Lighthouse Board in 1852. The Secretary of the Treasury as the president of the Board was authorized to elect a chairman and to divide the coast of the United States into twelve lighthouse districts. An army or navy officer was assigned to each district as the lighthouse inspector.¹²⁶ In April 1946 the Coast Guard created the Eastern, Western, and Pacific Area commands to coordinate cases that required the assets of more than one district. In January 1973, the Coast Guard renamed the Eastern and Western areas the Atlantic and Pacific areas, respectively. The Coast Guard currently maintains nine

¹²³ Code of Federal Regulations, Title 44 Emergency Management and Assistance, (Washington, D.C.: GPO, 2003).
http://a257.g.akamaitech.net/7/257/2422/04nov20031500/edocket.access.gpo.gov/cfr_2003/octqtr/44cfr2.2.htm

¹²⁴ FEMA, "Federal Level Partners," (Washington, D.C.: FEMA, 2006).
<http://www.fema.gov/about/fedpart.shtm> (accessed September 20, 2006).

¹²⁵ USCG Fact File, "U.S. Coast Guard: A Historical Overview." <http://www.uscg.mil/hq/g-cp/comrel/factfile/index.htm> (accessed September 20, 2006).

¹²⁶ U.S. Coast Guard, "FAQs from the Historian's Office: When was the Coast Guard Established?" <http://www.uscg.mil/hq/g-cp/comrel/factfile/index.htm> (accessed September 20, 2006).

Districts, each led by a Coast Guard Flag officer. The District Commander is responsible for all Coast Guard operations within their area of operation. In addition, two Area Commanders oversee the operations of the Districts.

Coast Guard operations, are often unpredictable and emergent in nature, sometimes requiring teamwork among multiple Coast Guard units or with other government agencies.¹²⁷ The Coast Guard pushes the authority and responsibility for incident management to the lowest level where situations can best be handled allowing the person on scene to assess the situation, seize the initiative, and take the action necessary for success.¹²⁸ Dealing with external agencies requires an understanding of roles and authorities. In some situations the Coast Guard does not have final authority and may need to consult with other authorities for decisions. Coast Guard units maintain a high degree of flexibility and readiness in order to meet changing operational requirements. As a result, the Coast Guard creates synergies among both internal and external partners.

The Coast Guard established a reputation for being *Semper Paratus*, “always ready” to meet just about any maritime challenge by successfully and repeatedly adapting to the situation at hand.¹²⁹ Following the attacks of September 11, 2001, the Coast Guard looked to reorganize unit level operations to create unity of command in America’s ports, better align field command structures, and improve operational effectiveness. The Coast Guard began to establish Sector Commands by integrating Groups, Marine Safety Offices (MSO), Vessel Traffic Services (VTS), and in some cases, Air Stations. These multi-mission commands will operate within each of the Coast Guard Districts.

C. REGIONAL ALTERNATIVES

Following Hurricane Katrina, discussions about a regional structure have resurfaced. As an interim measure Secretary Chertoff pre-designated five hurricane response teams consisting of a Principal Federal Official (PFO), Deputy (PFO), and Federal Coordinating Officer to prepare for the 2006 hurricane season. These teams

¹²⁷ U.S. Coast, U.S. Coast Guard: America’s Maritime Guardian. Coast Guard Publication 1. (Washington, D.C.:USCG, 2002). <http://www.uscg.mil/hq/g-cp/comrel/factfile/index.htm>. (accessed September 20, 2006).

¹²⁸ Ibid.

¹²⁹ Ibid.

began working with state and local officials prior to hurricane season to prepare a proactive coordinated response. This chapter will look at three potential organizational structures to facilitate coordination of hurricane and all-hazards preparedness in the future. The options to be discussed for coordinating homeland security among federal, state, and local governments are: 1) maintaining coordination from DHS headquarters; 2) establishing a DHS regional structure; and 3) establishing Federal Preparedness Coordinators in high risk metropolitan areas.

1. DHS Headquarters Structure

The DHS Headquarters Structure would maintain coordination and oversight of homeland security efforts at the Federal government level with coordination through the Department of Homeland Security (DHS) Headquarters. The Preparedness Directorate is responsible for preparing state and local governments for disasters. The Directorate brings together policy, planning, exercise, and evaluation resources to develop to meet the requirements of federal, state, and local responders. As the integrator for preparedness, the Directorate is responsible for synchronization and integration of national preparedness initiatives.

Maintaining the DHS headquarters structure centralizes the development of national policy and the coordination and integration of homeland security missions in Washington D.C. State and local officials have expressed concern that the Federal government does not understand the unique concerns inherent to their localities. According to Eric Holdeman, Director of the King County Washington Emergency Operations Office, having DHS regions in place coordinating homeland security would be the single most important thing to improve readiness.¹³⁰

In order to coordinate with the states from DHS headquarters, the Secretary must deal with fifty states and six territories. This is in addition to an already extensive span of control appears to be overwhelming for the current headquarters structure. The Directorate needs the capability to identify cross jurisdictional capability requirements based on regional risk for all hazards incidents. Coordinating the preparedness requirements of state and local governments will require a robust staff to work with state and local planners.

¹³⁰ Carafano, "Federal Preparedness, Military Official."

As currently structured DHS does not appear to have the ability to liaise with assigned state governments on a regular basis to identify existing capabilities to coordinate filling resource gaps through multi-jurisdictional agreements, acquisition of resources, or federal assistance. Maintaining regular, near daily, contact with state and local officials will allow DHS to develop a better understanding of contingency plans and capabilities. Senator Daniel Akaka of Hawaii believes that a permanent, consolidated office in the Gulf Region would have established stronger relationship between DHS and state and local officials by providing one point of contact.¹³¹ Arizona has been a leader in regionally focused security planning. In 2003, Governor Janet Napolitano began focusing on developing formal protocols to facilitate multi-agency coordination.¹³²

This alternative does not address the requirement to co-locate or consolidate the current the field and regional offices of the agencies that moved into the Department. Several of the agencies have regional structures and continue to operate as independent agencies with their own geographic boundaries. DHS component agencies have developed their own coordination and operational ties with state and local authorities. As a result, state and local officials may be required to coordinate with multiple DHS agency directors on homeland security issues. The leadership in each region varies by component agency.

Coordination and oversight of homeland security efforts at the DHS headquarters level has yielded limited success. Centralizing efforts at the Federal level has not engaged state and local governments in order to coordinate strategies or the sharing of homeland security information. The headquarters structure has not yet synthesized efforts to eliminate duplication of effort among government entities. DHS continues to use the headquarters structure, however, has not successfully integrated homeland security functions.

2. Regional Structure

Establish a regional structure with field staff coordinating with states to facilitate homeland security initiatives among groups of agencies and governments in geographic

¹³¹ Carafano, "Federal Preparedness, Military Official."

¹³² Tom Carper, "Mutual Aid," Blueprint Magazine, March 23, 2004.
<http://www.ppionline.org/ndol/print.cfm?contentid=252473>. (accessed September 20, 2006).

regions throughout the nation. Programs operating out of regional offices develop closer relationships among all levels of government, providing for stronger relationships at all levels.¹³³ The Senate Committee on Homeland Security and Governmental Affairs in their report concluded that state and local officials knew they did not have sufficient resources prior to the land fall of Hurricane Katrina, but did not communicate those needs to the Federal government.¹³⁴ Neither DHS nor FEMA had developed a relationship with state and local officials to identify and correct resource or planning shortfalls. The committee believes that FEMA's relationship with state and local officials had eroded as a result of preparedness grants being transferred to other portions of DHS.¹³⁵ The regional offices will play a significant planning, coordinating, and steering role for their region.

A regional structure would allow DHS to engage state and local governments on a daily basis to coordinate strategies and share homeland security information based on the highest probability threats to a geographic region. Threats and incidents often occur in local areas and require local incident management. State and local prevention, preparedness, and response capabilities are the first line of defense. HSPD-8 directed federal agencies to improve the delivery of assistance through a single point of contact. DHS, however, continues to maintain multiple points of contact. The ability to coordinate with state and local governments on a regular basis will develop up a better understanding of state and local needs within the region. DHS field personnel would be located within or near state and local offices, whereas, maintaining coordination from DHS headquarters limits the ability to develop such relationships due to the travel required to meet regularly. During an incident, the regional staff would draw upon regional equipment and resources outside of the incident area in order to support response operations.

Establishing a regional structure would allow DHS to engage state and local governments to coordinate strategies and share homeland security information.

¹³³ White House, Hurricane Katrina Lessons Learned, 54.

¹³⁴ U.S. Senate, Hurricane Katrina: A Nation Still Unprepared, Senate Committee on Homeland Security and Governmental Affairs. http://hsgac.senate.gov/_files/Katrina/FullReport.pdf (accessed September 20, 2006).

¹³⁵ Ibid.

Additional costs would be incurred in establishing and staffing regional offices and would be dependent upon the number of regions established. The Regional Homeland Security Director would be able to review resources within the region and facilitate agreements between government entities to more efficiently utilize assets. Implementation would require Congressional approval and funding.

3. UASI Structure

DHS is currently developing a plan to coordinate homeland security initiatives with local governments through a DHS staff assigned to high risk areas using the Urban Area Security Initiative (UASI) cities. Establishing a structure in these UASI cities would concentrate homeland security activities in the areas of the country identified as at the highest risk. The coordination of effort in the UASI cities would likely yield the most effective means of contingency planning and sharing information. DHS personnel assigned to each city would review resources within the defined area and facilitate agreements between government entities to more efficiently utilize assets, evaluate requests for resources, and coordinate the use of Federal resources.

The DHS plan calls for establishing a Federal Preparedness Coordinators (FPC) in eleven UASI cities to coordinate homeland security prevention and preparedness efforts in the nation's highest risk areas. The FPCs will be responsible for facilitating the development of integrated contingency plans, exercises, and information sharing initiatives for each UASI area. Each FPC will have a small staff to coordinate planning, training and exercises, and administration. In addition, each component agency in the area will detail personnel as subject matter experts to coordinate DHS prevention and response capabilities in the area.

The FPC structure would provide many of the same benefits as the regional structure by more closely coordinating with local governments. Using the UASI areas, however, bypasses State governments and concentrates homeland security activities at the municipal level. The location of UASI cities leaves major coverage gaps across the country, leaving many states without a homeland coordination structure. Establishing the FPC in the FEMA Regional offices, without a clear delineation of functions, may lead to further confusion over who is in charge.

Establishing a structure in each of the UASI cities would concentrate homeland security in the areas of the country identified as at the highest risk. The coordination of effort in the UASI cities would likely yield the most effective means of contingency planning and sharing information. The cost of establishing DHS offices to facilitate homeland security efforts in all of the UASI cities, however, may be prohibitive. There would also be a potential decrease in efficiency as a result of duplicate initiatives in closely located cities. Implementation would require Congressional approval and a substantial increase in funding to support the additional DHS resources. Establishing FPCs in the FEMA regional offices may be a good opportunity to provide an initial operating capability and evaluate more closely evaluate the regional staffing requirements.

C. RECOMMENDATION

Establishing a DHS regional structure provides the greatest opportunity to coordinate Federal, State, and local homeland security activities nation wide. A regional structure would provide a homeland security network of interconnected Federal, State, and local agencies capable of synthesizing information and planning efforts that provide strategic, operational, and tactical integration of efforts at all levels of government to detect, deter, and defend against future terrorist attacks. The Regional Homeland Security Director would serve as the DHS point of contact for homeland security issues and facilitate the development of regional strategies and plans with state and local governments within the region. Each region would have a regional staff to provide direct assistance with contingency planning and outreach to engage government and private sector entities in prevention, preparedness, response, and recovery agreements. The regional office would coordinate the sharing of homeland security information and evaluate threat information to prevent future terrorist incidents.

This option provides the capability for DHS to more directly engage state, local, and tribal governments in preparedness by utilizing the current FEMA regional structure. It is believed that this structure will:

- Facilitate development of a strategy to coordinate federal, state, and local cooperation during incidents of national significance;

- Reduce the confusion of integrating federal, state, and local preparedness and response;
- Eliminate the delay in federal, state, and local response; and
- Raise the federal sensitivity to state and local requests for assistance.

D. REGIONAL FUNCTIONS

The DHS regional organization would enhance homeland security coordination and leadership at the state and local levels in six strategic areas: building partnerships; planning and analysis; situational awareness; preparedness; communications and coordination; and grant programs.

1. Partnership

The *National Preparedness Guidance, Homeland Security Presidential Directive 8: National Preparedness*, states, “As we develop Federal assistance programs in FY 2006 and beyond, our focus will be to leverage our homeland security resources in order to achieve the highest possible readiness.”¹³⁶

Partnerships provide a means to coordinate needed capabilities quickly and effectively while reducing overall resource costs. Jurisdictions should leverage resources of surrounding agencies to increase response capabilities with increased economies of scale. Equipment tailored to various jurisdictional capabilities promotes consistency, efficiency and interoperability when planning and developing protocols involved in tiered regional response.¹³⁷ Partnering provides the ability to close capability gaps through resource sharing and access to needed expertise that has already been mastered.¹³⁸ According to Michael Brown, the partnerships between FEMA and state and local governments have been broken.¹³⁹

Homeland security activities require close coordination between the Federal government and state and local governments in order to efficiently and effectively manage risk and allocate resources. The principles of federalism limit the Federal

¹³⁶ DHS, *HSPD-8*.

¹³⁷ Ibid.

¹³⁸ W. Chan Kim and Renée Mauborgne, *Blue Ocean Strategy: How to Create Uncontested Market Space and Make the Competition Irrelevant* (Boston, MA: Harvard Business School Press, 2005), 134.

¹³⁹ Interview with Michael Brown.

government's ability to mandate actions to state and local governments, the regional structure is intended to develop partnerships to facilitate and coordinate homeland security efforts within the region. Involvement of state and local officials in the regionalization process, engages them as true partners, not simply outsiders trying to access the system.¹⁴⁰ DHS needs to consult directly with external stakeholders, including Congress, federal agencies, state and local governments, and the private sector, in the strategic planning process.

“Homeland security is about relationships - whether we are talking about responding to hurricanes and fires or the work of terrorists. Public servants at all levels of government cannot accomplish the goals of preparedness and response if they are not familiar with the people with whom they have to work and the area and the people they need to serve. The clear delineation of responsibilities and trust are critical to deploying the response and recovery plan. Intergovernmental coordination will improve the preparedness and response to disasters and thereby mitigate the losses incurred; thus helping to maintain viable communities and an economically sound nation.”¹⁴¹

The Regional Homeland Security Director would serve as the primary point of contact for homeland security initiatives within the region and develop the regional homeland security strategy in conjunction with state and local partners. Regionalization provides state and local governments “one-stop shopping” for federal homeland security assistance. The Regional Homeland Security Director would broaden the focus of the existing FEMA Regional Interagency Steering Committees (RISCs) to manage risk and allocate resources, provide regular forums and communications channels to exchange information, coordinate federal assistance to state and local governments, coordinate assistance and participation in training and exercise programs, and coordinate information and intelligence sharing within the region. The Regional Homeland Security Director will be also be immersed in the day-to-day activities within the region, and as a result will be more familiar with regional capabilities, infrastructure, and resource

¹⁴⁰Cilluffo, “Hurricane Katrina Recommendations.”

¹⁴¹ Audwin M. Samuel, “Statement on Behalf of the National League of Cities before the House Committee on Homeland Security,” October 19, 2005. <http://homeland.house.gov/files/TestimonySamuel.pdf>. (accessed July 17, 2006).

requirements. The DHS regional structure would improve overall awareness of intergovernmental planning and communications with regional partners.

The regional structure provides DHS the ability to better facilitate state and local government partnerships to prepare for any kind of disaster by coordinating federal, state, and local plans; making resources available for facilities and equipment; providing emergency personnel training; supporting multi-jurisdictional exercises, and sharing information with state and local officials.

2. Planning and Analysis

Hurricane Katrina reinforced the need for the Federal government to work with homeland security partners to revise existing plans to ensure a functional operational structure, including within regions.¹⁴² Many state and local governments have been overwhelmed by the new requirements for homeland security within their jurisdictions. One of the major benefits of establishing homeland security regions is the ability to provide federal support for planning and analysis to state and local governments. Typically, federal assistance is financial, however, the Federal government may be asked to mobilize resources from any number of federal agencies assist. A proactive federal response can create strains on federal resources and presents practical challenges for federal responders who are not familiar with local capabilities or infrastructure.¹⁴³ The interaction between DHS regional staff and state and local officials will create a better understanding of capabilities allowing a measured proactive federal response.

Homeland security is a shared responsibility of numerous partners, including other federal agencies, state and local governments, and the private sector. Taking into account the primary homeland security role state and local governments have as first responders, DHS must involve nonfederal stakeholders in the strategic planning process. The DHS regional concept provides an organizational structure to improve homeland security through the coordination of Federal, State, local, and private sector organizations in an array of functions, with the states having the lead role in the planning and DHS coordinating Federal assistance to fill resource gaps. Several states have complained that DHS is ignoring state officials when drawing up their response plans. Some emergency

¹⁴² White House, Hurricane Katrina Lessons Learned, 42.

¹⁴³ Ibid.

experts in California and Washington State are concerned that DHS is pushing a one-size-fits-all approach to disaster response that may be well-suited to hurricanes on the Eastern seaboard but could be irrelevant for Western states facing the possibility of earthquakes and tsunamis.¹⁴⁴ FEMA does not have the ability to focus on all the nation's disaster risks at the same time. All-hazards planning should be coordinated through DHS at the regional level in conjunction with state and local planners.

The Regional Homeland Security Director, in conjunction with the State Homeland Security Advisors, would develop a regional homeland security strategy based on a regional risk assessment. The Regional Staff would provide state and local governments support to develop effective and efficient integrated contingency plans based on the regional strategy, risk assessment, and threat analysis. Regional contingency planning would provide a consistent process for developing and analyzing scenario-based contingency plans. Contingency plans would be based on a regional construct to geographically define scenario-based plans and to provide the capability to develop integrated incident response plans that reflect homeland security strategic goals and preparedness and response capabilities at each level of government. Effective and efficient contingency planning would:

- Enhance incident commanders ability to put the right resources in the right place, at the right time;
- Improve interoperability and synergy of resources and identify regional resource gaps;
- Provide a centralized review and approval process to ensure plans are consistent with policy and doctrine; and
- Develop agreements for integrated response capabilities within the region.

The Regional Homeland Security Director would coordinate with state and local governments and the DHS component agency leadership within the region, or the Principal Federal Official (PFO) if designated during an incident response, to meet regional resource requirements. Regional planning efforts would identify gaps in prevention, preparedness, and response and recovery capabilities and pursue acquisition

¹⁴⁴ Interview with Michael Brown.

of required homeland security resources through federal funding or use of federal assets. The grant process would be tied to the regional homeland security strategy and resource gap analysis to provide a more risk based grant formula. The DHS regional structure links DHS capabilities in the region together to enhance federal support to state and local governments and facilitate rapid response to incidents.

3. Situational Awareness

One of the primary functions of DHS is the gathering and analysis of information. The National Response Plan established the Homeland Security Operation Center (HSOC)¹⁴⁵ as the primary hub for domestic incident management, operational coordination, and situational awareness. The HSOC is currently responsible for fusing homeland security information for the nation. As a result homeland security information integration currently occurs only at the federal, HSOC, level. The fusion of homeland security information at the state and local level is inconsistent and normally exists only for law enforcement information. Without any integration mechanisms to synthesize relevant homeland security information at a lower level, the HSOC is bound to miss relevant information that could prevent a terrorist attack. In testimony before the 9/11 Commission, Richard Andrews noted, the result of information overload causes relevant information to tends to get lost among the volumes of information received, conversely when information exchange happens only infrequently the process and protocols for managing information are ignored or forgotten¹⁴⁶

As part of the regional structure DHS would establish Regional HSOCs (RHSOC), to coordinate information and intelligence sharing between the Federal government and state and local governments and serve as information spokes to better evaluate threat information to prevent future terrorist incidents. The RHSOC would focus on state and local intelligence and threat information in order to prevent terrorist activities in the region. The RHSOC would share knowledge of current capabilities and

¹⁴⁵ The HSOC is now called the National Operation Center (NOC).

¹⁴⁶ Richard Andrews "Testimony Presented to: National Commission on Terrorist Attacks Upon the United States." November 19, 2003. <http://knxup2.ad.nps.navy.mil/homesec/docs/dhs/nps16-041505-11.pdf>. (accessed January 29, 2006).

emerging critical needs by maintaining an integrated common operational picture to provide regional leaders and incident response units current information on incidents and resources within the region.

The RHSOC would develop and maintain situational awareness of regional threat and activities for decision making. Establishing the RHSOC facilitates a daily exchange of information between homeland security entities at the federal, state, and local government levels. A layered approach to information sharing, fusing federal, state, and local information and intelligence at the regional level provides another opportunity to identify potential terrorist activity and provide actionable information to law enforcement authorities.

The RHSOC would be a key resource in developing and maintaining situational awareness during periods of increased threat and during an incident response. Situational awareness provides the baseline for senior leadership to make strategic level decisions required to coordinate support for emergency responders. Strategic level decisions often impact the success of the incident response.

4. Preparedness

Preparedness ensures that if a disaster occurs, people are ready to get through it safely, and respond to it effectively. Preparedness involves developing action plans, training of emergency responders, development and exercise of policy and procedures, acquisition and maintenance of emergency response equipment. The Nation will be better prepared to respond to and recover from the impacts of all types of hazards by using established national emergency management standards, developed collaboratively among emergency managers, emergency response personnel, and leadership from all levels of government.¹⁴⁷

The Regional Homeland Security Director would facilitate the coordination of preparedness programs including a regional training and exercise program for all-hazards preparedness. The regional preparedness program would provide federal support to state and local governments to meet national preparedness program goals and federal

¹⁴⁷ FEMA, “A Nation Prepared, Federal Emergency Management Agency Strategic Plan Fiscal Years 2003 – 2008. (Washington, D.C.: FEMA 2006). [http://www.fema.gov/pdf/library/fema_strat_plan_fy03-08\(append\).pdf](http://www.fema.gov/pdf/library/fema_strat_plan_fy03-08(append).pdf). (accessed September 20, 2006).

participation in training and exercises. Regional preparedness would be based on the principles of the National Incident Management System, the National Response Plan, the National Planning Scenarios, and the Interim National Preparedness Goal.

The Regional Homeland Security Director would be responsible for overseeing and supporting regional preparedness evaluations and assessments to assist in regional contingency planning and gap analysis. The Regional Homeland Security Director would facilitate resource sharing within the region through the use of memorandums of agreement and memorandums of understanding between regional partners. In testimony before the House, Secretary Chertoff stated, “Congress and the department allocate tens of even hundreds of millions of dollars to each state and to certain local governments across the country without the prerequisite analysis of risk.”¹⁴⁸ Regional evaluations and risk assessments would provide the Regional Homeland Security Director the ability to provide guidance to state and local governments on resource requirements within the region in order to tie the grant process to the regional strategy to ensure efficient and effective allocation of homeland security assets and monitor the grant process within the region.

The regional homeland security preparedness program would facilitate the coordination of state and local assets for regional prevention, preparedness, and response and recovery.

5. Communication and Coordination

The Regional Homeland Security Director must fully engage in communications with state and local government leaders. State and local governments require the capability to identify emerging threats and share that information across all levels of government to prevent and prepare for terrorist attacks. The Regional Homeland Security Director would be the primary DHS representative for homeland security stakeholders in the region to facilitate information sharing and threat assessment, develop regional plans, planning for National Special Security Events and Homeland Security Special Events, and to coordinate federal assistance as required. The Regional Homeland

¹⁴⁸ DHS, “Testimony by Secretary Michael Chertoff Before the House Homeland Security Committee,” (Washington, D.C.: DHS, 2006). <http://www.dhs.gov/dhspublic/display?content=4460>. (accessed September 20, 2006).

Security Director would maintain connectivity to key regional stakeholders through a regional communications network. The Regional Homeland Security Director would coordinate strategic risk assessments, scenario-based contingency planning, grant program assessments, training programs and exercises. The Regional Homeland Security Director would facilitate requests for Federal assistance from state and local governments and with the PFO during Incidents of National Significance, National Security Special Events, and Homeland Security Special Events.

Homeland Security Presidential Directive 3 (HSPD-3) established the Homeland Security Alert System (HSAS) to “inform and facilitate decisions appropriate to different levels of government and to private citizens at home and at work.”¹⁴⁹ State and local governments have indicated continuing confusion regarding the recommendations for heightened security measures and clearly defined and consistently applied communication policies and procedures have not been used when changing HSAS alert levels.¹⁵⁰ The RHSOC would facilitate communication to regional partners concerning changes in the HSAS levels regarding the risk of terrorist acts and other threats to Federal, State and local entities and communicate the implementation of protective measures to meet increased security levels. In conjunction with the Joint Terrorism Task Force, the RHSOC would provide a regional risk assessment to provide specific threat information to State and local governments. The Regional Staff would assist State and local government to identify appropriate protective measures to implement in response to the threat.

6. Grant Programs

The Regional Homeland Security Director would serve as the senior federal official responsible for federal preparedness and response activities within the region. The regional headquarters would serve as the focal point for federal efforts to facilitate regional preparedness—including the initial evaluation of homeland security grant funding requests.

¹⁴⁹ President Bush, HSPD-3.

¹⁵⁰ GAO, *Communication Protocols and Risk Communication Principles Can Assist in Refining the Advisory System*, GAO-04-682. June 2004. www.gao.gov/new.items/d04682.pdf (accessed September 20, 2006.)

Grants are frequently used as federal tools for improving state and local response capabilities. The method of distribution of federal funds, how grants are structured and how they share responsibilities between federal, state, and local governments can affect how successful these programs are at implementing homeland security programs. The Regional Homeland Security Director will be responsible for reviewing grant application to determine if they support the Regional Homeland Security Strategy. The Regional Homeland Security Director will not have the authority to deny a grant. The Regional Homeland Security Director will also be responsible for evaluating the grant expenditure within the region.

E. THE NEED FOR DHS REGIONS

Homeland security is a shared responsibility of numerous partners, including other federal agencies, state and local governments, and the private sector. Taking into account the primary homeland security role state and local governments have as first responders, DHS must involve nonfederal stakeholders in the strategic planning process. The DHS regional concept provides an organizational structure to improve homeland security through the coordination of Federal, State, local, and private sector organizations in an array of functions, with the states having the lead role in the planning and DHS coordinating Federal assistance to fill resource gaps. “This structure needs to be in place now, before another event, so that working relationships have not only been forged but cemented, trust has been built, and plans have been exercised, tested, and revamped according to lessons learned. A regional approach best serves these ends.”¹⁵¹

America needs to develop a culture of preparedness. DHS’ efforts to enhance national preparedness at the local level have not had significant impact. Headquarters level programs will not effectively reach the local level. The department needs to refocus its programs to empower state and local governments to create effective “bottom-up” preparedness from individuals and communities.¹⁵²

DHS needs to consult directly with external stakeholders, including Congress, federal agencies, state and local governments, and the private sector, in its next strategic planning process. “Homeland security is about relationships - whether we are talking

¹⁵¹ Cilluffo, “Hurricane Katrina Recommendations.”

¹⁵² Carafano, “Improving the National Response.”

about responding to hurricanes and fires or the work of terrorists. Public servants at all levels of government cannot accomplish the goals of preparedness and response if they are not familiar with the people with whom they have to work and the area and the people they need to serve. The clear delineation of responsibilities and trust are critical to deploying the response and recovery plan. Intergovernmental coordination will improve the preparedness and response to disasters and thereby mitigate the losses incurred; thus helping to maintain viable communities and an economically sound nation.”¹⁵³

Historically, the American governance system, divided into federal, state and local jurisdictions, does not provide a natural vehicle for discussing public policy issues from a regional, multi-jurisdictional perspective. The autonomy of local jurisdictions and competing priorities within and among them makes regional coordination difficult. Efforts that seek to overcome these challenges to coordinate regionally must take into account the different operational structures and civic traditions of states and municipalities.¹⁵⁴

Establishing a common DHS regional structure would enable the Department to develop homeland security culture among DHS component field elements and State and local governments. DHS component agencies maintain their pre-existing field structures without common operational boundaries, goals, or missions from DHS. Component agencies and other Federal Departments and agencies continue to coordinate independently with State and local governments lending continued confusion over roles and responsibilities. The uncoordinated response to Hurricane Katrina highlighted the lack of understanding of State and local requirements at the Headquarters level.

The DHS field structure provides the opportunity for DHS to gain a better understanding of homeland security activities at the State and local level. The regional teams would enhance relationships with local governments, assist with regional planning and exercises, and be prepared to manage and coordinate responses to incidents and be more effective in monitoring homeland security grant spending.¹⁵⁵ The DHS field structure would allow the development of a DHS culture beyond headquarters, by

¹⁵³ Samuel, “Statement.”

¹⁵⁴ GAO, Homeland Security: Effective Regional Coordination.

¹⁵⁵ House Committee on Homeland Security, Management Challenges.

establishing senior DHS field representatives and a single point of contact for homeland security within specific geographic areas or regions. Establishing a field structure would also provide the opportunity for the Department to align component agency boundaries to better coordinate homeland security activities. Proposed DHS Regional Roles:

- Facilitate coordination of Federal, state, and local homeland security activities;
- Decrease span of control requirement for DHS headquarters; and
- Engage state and local governments in a national homeland security strategy.

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VI. ESTABLISHING A DHS REGIONAL ORGANIZATION

A. INTRODUCTION

The autonomy of state and local jurisdictions and competing priorities within and among them makes regional coordination difficult. Efforts that seek to overcome these challenges to coordinate regionally must take into account the different operational structures and civic traditions of states and municipalities.¹⁵⁶ Unlike the previous DHS regional concept, which sought to integrate DHS component operations, this strategy focuses on coordination with state and local agencies. The primary effort of DHS in establishing a regional strategy should be the development of external partnerships with state and local governments.

Regionalization arouses concerns of losing influence and decision making authority over local resources. According to Aristotle, politics stems from a diversity of interests. Consistent with Aristotle's conceptualization, it is given that, federal, state, and local governments bring their own interests, wants, desires, and needs to the table.¹⁵⁷ The previous effort to establish DHS regions met with political adversity on two fronts: 1) DHS component leadership was concerned about losing operational control of their forces; and 2) the political competition for the DHS regional offices presented a win or lose proposition for political leadership. According to James Carafano the regional issue, "was so political you couldn't really discuss it."¹⁵⁸

General William C. Moore, former coordinator for military support to federal and state authorities, suggested that a regional structure needed to be focused on three axes: (1) structure, with FEMA as a player, but not predominant, (2) requirements, in terms of what needs to be delivered, and (3) means. He recommended that the new DHS regional headquarters be at the confluence of these three axes, arguing that "you can't turn a

¹⁵⁶ House Committee on Government Reform, Homeland Security: Effective Regional Coordination.

¹⁵⁷ Wilf H. Ratzburg, "Defining Organizational Politics," OBNNotes.
<http://www.geocities.com/Athens/Forum/1650/htmlpolitic01.html>. (accessed September 20, 2006).

¹⁵⁸ Carafano, "Federal Preparedness, Military Officials."

Katrina over to a FEMA...DHS has to be there to coordinate.”¹⁵⁹ The DHS coordination role is one of the missing components needed to establish the National Homeland Security Strategy.

DHS Regional Goals:

1. Build and sustain effective homeland security partnerships and coordination mechanisms across all levels of government.
2. Provide a foundation for continuously improving national preparedness.
3. Promote a national homeland security culture that incorporates organizational excellence and support for all levels of government.
4. Establish and maintain a national homeland security planning system.
5. Establish agreements to ensure efficient use of resources for homeland security missions.
6. Coordinate sharing of homeland security information to prevent, prepare for, respond to, and recover from terrorist incidents and natural disasters.

B. ESTABLISHING THE FOUNDATION

Initial DHS Regional planning will take place in the DHS Preparedness Directorate. The National Preparedness Task Force will act as the program manager for implementing the regional concept. The Task Force will work closely with internal partners; Office of State and Local Coordination, Office of Operations, Office of Policy, U.S. Emergency Management Authority, and Management Directorate to establish personnel, facility, budget, and operating requirements. The newly established National Preparedness Task Force will be responsible for implementing the FPC program and will provide Headquarters oversight of the program. The Task Force will develop program evaluation and criteria for the FPC program for further development of a DHS regional structure. Successful implementation of the FPC concept should be evaluated for expansion to coordinate regional homeland security missions.

¹⁵⁹ Christien Beckner, “Heritage Foundation event on DHS regional frameworks,” Homeland Security Watch, January 23, 2006. <http://www.hlswatch.com/2006/01/23/heritage-foundation-event-on-dhs-regional-frameworks/> (accessed September 20, 2006).

The Undersecretary of Preparedness will be responsible for the establishment and general oversight of the regional structure. The National Preparedness Task Force within the Preparedness Directorate will provide day-to-day program management and policy development for the regions. The Task Force will coordinate regional program management with the DHS operational elements, the Office of State and Local Government and Contingency Preparedness, and other DHS and federal organizations as the situation dictates. As the program manager for the regions the Task Force will:

- Develop policies and procedures to seamlessly integrate information sharing and preparedness activities on a day-to-day basis
- Establish standards for regional training and exercises
- Provide baselines for the development Regional homeland security strategies
- Develop an integrated contingency planning program to support regional strategies
- Develop a regional preparedness assessment program
- Integrate regional strategies and capabilities into the DHS Homeland Security strategy and planning process
- Develop formal training and education program for regional staffs
- Coordinate cross regional contingency planning

The National Preparedness Task Force will engage state and local governments in the proposed regions to establish working agreements in support of the regional standup.

In order to prepare for the establishment of homeland security regions, DHS should:

- Establish a Regional Task Force composed of Federal, state, and local leadership directed by politically adept adviser to lead the regional effort.
- Separate DHS leadership positions from component leadership positions. Establish regional leadership as DHS Senior Executive Service positions.

Component agency personnel detailed to DHS often have underlying allegiance to their home agency.

- Develop regional planning efforts to embrace the concept of sharing Federal, state, and local resources to best meet the response requirements for homeland security missions.
- Organize DHS Regional Offices to work in partnership with state, and local governments and other first responders to ensure coordination and integration of regional preparedness, response, mitigation, and recovery activities.
- Establish Regional Advisory Councils composed of Federal, state, and local officials, emergency managers, emergency response and support providers to coordinate homeland security activities.
- Establish a Federal Homeland Security Partners Steering Committee in each region to identify federal resources to meet state and local shortfalls; and to coordinate information fusion/sharing from federal resources in conjunction with the Joint Terrorism Task Force (JTTF);
- Establish a State and Local Homeland Security Steering Committee in each region to develop jurisdictional homeland security strategies and operational plans based on regional strategy; identify capabilities and resource gaps; coordinate state and local information fusion/sharing; and identify state and local critical infrastructure
- Broaden the focus of the existing FEMA Regional Interagency Steering Committees (RISCs) to manage risk and allocate resources, and provide regular forums and communications channels to exchange information.

DHS component agencies are currently maintaining several legacy regional structures. Creating a common regional structure would provide the opportunity to better coordinate DHS operations and leverage current DHS field assets in the establishment of the DHS regions.

To help ensure multi-jurisdictional readiness in advance of an Incident of National Significance, DHS Regional Staff will have day-to-day coordination responsibilities with state and local governments related to preparedness, planning, and coordination within their assigned geographic areas of responsibility. These duties include:

FUNCTION	DHS REGIONAL RESPONSIBILITIES
Partnership	<ul style="list-style-type: none"> • Build relationships with key stakeholders (DHS operational elements, other Federal agencies, State and local government officials, and the private sector)
Planning and Analysis	<ul style="list-style-type: none"> • Coordinate the review of contingency and continuity of operations plans to report on the status of catastrophic planning of state and local governments in their assigned region • Coordinate local area Federal support for designated Level I and Level II Homeland Security Special Events occurring within the region • Coordinate resource and operational planning in preparation for incident response in concert with the Federal Emergency Management Agency (FEMA) Regional Homeland Security Director and other locally based DHS component entities
Situational Awareness	<ul style="list-style-type: none"> • Maintain situational awareness of available resources and capabilities, existing operations, and possible threats in the region
Preparedness Assessments	<ul style="list-style-type: none"> • Assess the status of preparedness in their area of responsibility according to guidance provided by the Secretary and U/S for Preparedness
Communication and Coordination	<ul style="list-style-type: none"> • Serve as the communications focal point for DHS in the region • Facilitate homeland security-related information sharing among federal, state, and local governments
Grants and Training	<ul style="list-style-type: none"> • In reviewer for homeland security grants • Coordinate planning for, and participate in, local, regional, and national-level homeland security exercises, training, and drills

Table 2. DHS Regional Responsibilities

C. REGIONAL ORGANIZATION

The DHS Regional concept should build upon the foundation of the FEMA Regional Offices. The FEMA regions, established along the guidelines of the Standard Federal Regions, provide a recognized geographic distribution of federal agency responsibilities. FEMA was created to coordinate the federal response to a disaster that overwhelmed the resources or was beyond the capabilities of state and local governments. The agency is also responsible for distributing disaster recovery funds. FEMA, however, does not have the ability to carry out the homeland security mission in the field by itself. The FEMA Regions do not have sufficient staffing capability to support a Regional Response Coordinating Center (RRCC) and a full Emergency

Response Team (ERT) simultaneously.¹⁶⁰ FEMA will maintain its regional offices and continue to be responsible for coordinating response and recovery under the Stafford Act. The FEMA regional organization will remain in place for the most part under the guidance of a Regional Administrator.

DHS headquarters will focus on national policy, while the regions focus on coordinating and integrating DHS missions with state and local governments. Under this proposal, DHS will establish a Regional Office, collocated with FEMA to develop and coordinate implementation of the homeland security strategy within the region. Building upon FEMA's existing structure with ten regional offices, the DHS Regions would be a key entity in building relationships with State and local governments. A DHS regional organization would help establish a single point of contact to provide guidance and assistance to state and local officials. The regional offices will focus on coordinating state and local security and preparedness efforts. DHS headquarters will also focus on coordinating the operations of the Department's component agencies. The DHS regional structure will provide a mechanism for DHS to align component agency operations within defined geographic areas to allow development of regional homeland security strategies. This proposal anticipates that DHS component agencies will align to the regional boundaries.

The DHS regional leadership would be able to better identify the needs of the states within each region to coordinate homeland security initiatives to integrate federal, state and local efforts. The Regional Homeland Security Director will serve as the primary point of contact for homeland security initiatives within the region and will develop the regional homeland security strategy in conjunction with state and local partners. The Regional Homeland Security Director will be responsible for preparedness and prevention and initiating federal response and recovery operations.

Integrating the national homeland security functions through the establishment of homeland security regions would help develop a unified effort across federal, state and local governments. The DHS regional structure will centralize regional homeland security coordination at the regional office, while decentralizing headquarters functions

¹⁶⁰ DHS/FEMA, "Initial Response Hotwash."

to the region decreasing the span of control at the headquarters level. As a result, the regions would provide a more manageable span of control for the Secretary and provide the capability to more effectively reach out to state and local governments.

DHS regions will allow closer coordination of federal, state and local roles, responsibilities and resources under the framework of the National Response Plan and the National Incident Management System. The regional organization would help DHS develop closer working relationships with first responders who best understand the local relationships agreements, laws and available resources to coordinate communication, decision making and integrated response to threats and incidents. Secretary Ridge's strategy for DHS included engaging partners and stakeholders from federal, state, local, tribal and international governments.¹⁶¹

The regional structure would be especially beneficial to remote and rural jurisdictions which are often overlooked in the allocation of homeland security funding. Local governments do not have the capability to protect or respond to incidents at critical infrastructure, such as railroads and nuclear power plants, located in these areas. Developing a single federal point of contact to work with state and local government officials will alleviate confusion in the allocation of federal funds and help to ensure critical infrastructure in less populated areas is protected.

The establishment of a Homeland Security Regional Structure would achieve the DHS Mission of leading a unified national effort to secure America. Effective threat and incident response requires dedicated, locally based senior leadership from DHS to coordinate a network of Federal, state, and local partners that plan, train, respond and share information together on a routine basis. The homeland security regions will provide federal support to state and local governments that have been overwhelmed by new requirements for homeland security within their jurisdictions. The DHS regional staff will oversee integrated preparedness efforts to include all-hazards contingency planning and continuity of operations planning, exercises and drills, information sharing, and strategic partnering. Regional coordination will include leveraging existing

¹⁶¹ DHS, "Securing Our Homeland."

preparedness efforts and collaborative relationships, DHS component field resources and program resources within the region when developing, refining, and expanding programs and activities.

1. The Regional Homeland Security Director

The Regional Homeland Security Director will serve as the personal representative of the Secretary of Homeland Security to facilitate and coordinate homeland security initiatives within the region. The Regional Homeland Security Director will be from the DHS Senior Executive Service. The Regional Homeland Security Director develops the regional homeland security strategy and plans that support the National Strategy for Homeland Security. The Regional Homeland Security Director will be responsible for coordinating homeland security efforts across all levels of government within the region. The State Homeland Security Advisor will normally be the primary point of contact for Regional Homeland Security Director, although some situations may require the Governor to serve as the primary point of contact. Contacts with local governments within each state should be coordinated through the Homeland Security Advisor unless permission has been provided for direct contact with local governments. The Regional Homeland Security Director's functions include the following:

1. Represent the Secretary for HLS activities in the region.
2. Prepare to serve as PFO during an Incident of National Significance by:
 - a. Pre-selecting potential Joint Field Office sites;
 - b. Building relationships with potential members of a PFO cell; and
 - c. Conducting regular drills to insure that communication would be maintained during an incident.
3. Maintain integrated situational awareness of available resources and capabilities, existing operations, and possible threats in metropolitan area.
4. Participate in exercises in the role of the PFO.
5. Coordinate contingency planning in the region.

6. Coordinated Federal support to special event planning that occurs in the region.
7. Develop a Regional Homeland Security Strategy for the region and provide input into state and local Homeland Security strategies in the region.
8. Create information sharing networks among key HLS stakeholders.
9. Build relationships with stakeholders from DHS component agencies, members of other Federal agencies, and state and local officials.
10. Provide a single DHS point of contact in the region.

Establishing future coordination requirements and operational capabilities with state and local governments will be a primary responsibility of the Regional Homeland Security Director. The Regional Homeland Security Director serves as the primary point of contact with federal, state, and local leadership within the region. The Regional Homeland Security Director will not have directive control over DHS component agency or state and local assets. DHS brought together many organizations with established relationships to state and local governments. Component agencies will leverage existing relationships with federal, state, and local governments to support regional programs. Component agency liaisons will serve as the primary point of contact between the Regional Homeland Security Director and component agency leadership in the region. Component agency leaders in the region will integrate core functions and contingency planning into the Regional Homeland Security Strategy.

The Regional Homeland Security Director would be responsible for all aspects of homeland security coordination within their region. The Regional Homeland Security Director will coordinate homeland security planning with state and local officials within the region. The Regional Homeland Security Director will be responsible for facilitating coordination of Federal, state, local, and tribal homeland security initiatives. The Regional Homeland Security Director should serve as the DHS point of contact for State, local, and tribal governments within the region. Each region should have a staff made up

of a mix of DHS employees and DHS component agency detailees. A regional structure would enable DHS to provide a more integrated homeland security capability across all levels of government.

2. The DHS Regional Staff

The Regional Staff will provide technical and administrative support to state and local governments to develop prevention and preparedness plans. The Regional Staff would also provide support for communications and coordination, contingency operations, planning and analysis, preparedness, training and exercises, and situational awareness. A DHS Regional Structure would enhance homeland security coordination and leadership at the state and local levels in five strategic areas. One of the primary responsibilities of the DHS regional staff is to help ensure multi-jurisdictional readiness. Readiness involves a continuous cycle of planning, training, exercising, evaluating, and initiating corrective and mitigation activities.

The regional staff will enhance the ability to build and maintain positive relationships to coordinate integrated contingency plans, exercises, and information sharing initiatives for the region. As the DHS representatives in the region, the regional staff will develop strategic relationships with DHS partners in the region.

The regional staff will develop relationships with all DHS operations centers, state and local operations centers and intelligence fusion centers within the region. Regional staff will be assigned to the state operations center for each state in the region. The regional staff will coordinate information sharing between the Homeland Security Operations Center and state and local operation centers and intelligence fusion centers.

The regional staff will represent DHS in dealings with state and local officials and the media within the region. As the point of contact for DHS in the field, it is expected that the regional staff will receive frequent requests for information from the media. The regional staff will coordinate with DHS headquarters to convey the regional and national homeland security picture. The regional staff will also push regional media interest stories to DHS headquarters to showcase homeland security activities within the region.

The regional staff will assist with coordinating federal assets for Level I and Level II Homeland Security Special Events. The regional staff will facilitate federal

support to the event and coordinate Federal incident management and security assistance across the spectrum of prevention, preparedness, response, and recovery as appropriate. The regional staff responsibility for Homeland Security Special Events includes:

- Serving as the Federal Coordinator for level I and Level II events;
- Liaison with Federal, state, and local officials;
- Consultation with state and local officials on event planning;
- Development of the Federal Integrated Support Plan;
- Assessment and evaluation of requests for Federal Assistance; and
- Coordination of media inquiries.

Each regional office would have personnel assigned to work with State and local governments to assist in the development of contingency plans, exercises, and resource requirements. DHS personnel would be assigned to each State Emergency Operations Center to coordinate situational awareness between the State and the HSOC.

The regional staff, in conjunction with state and local governments, will review existing contingency planning documentation and assist with integration of National Incident Management System requirements and identification of tasks and capabilities required to meet the National Preparedness Goal. Regional preparedness, planning, and coordination activities include:

a. Partnership - Building Regional Relationships

In discussing the DHS regional concept, former Undersecretary of Homeland Security, Asa Hutchinson stated, “I think when you are talking about partnerships, when you are talking about improving our communication and messaging with our state and local partners, that if we had Regional Homeland Security Directors and moved in that direction, that that would be a tool that could be used to help us localize and communicate our message more effectively.”¹⁶² Previous discussions about establishing DHS regions focused on integrating DHS field operations. Component agency concerns to loss of command and control of agency resources and restructuring of

¹⁶² U.S. Congress, House, DHS Appropriations Act for Fiscal Year 2006, Conference Report on HR 2360, testimony of Asa Hutchinson.

agency field resources resulted in resistance from senior leadership. Shifting the DHS regional focus to coordinating multi-jurisdictional homeland security efforts will better enable the development of federal, state, and local partnerships. Building multi-jurisdictional partnerships within the regional structure will:

- Redirect federal efforts toward pre-established missions to support state and local capabilities;
- Facilitate day-to-day interactions with state and local partners;
- Reduces DHS component agency concerns of DHS taking control of day-to-day operations;
- Enhance forums for homeland security coordination such as the monthly Homeland Security Partners meetings with federal, state, and local officials in Miami.
- Integrate planning with state and local governments to better identify Federal homeland security support requirements.
- Recognize leaders who successfully integrate Federal, state and, local planning efforts.
- Utilize the National Preparedness Goal as the standard to work toward.

b. Planning and Analysis

Contingency planning is a responsibility of all levels of government. Building a layered contingency planning strategy will coordinate Federal, state, and local planning to identify capabilities and gaps at each level. Planning has not kept pace with changes in organization (establishment of DHS) or emergency management requirements (NIMS and NRP). Likewise, guidance for emergency planning has not been updated. Effective emergency planning requires the integration of plans at all levels of government. Activities from each level impact the other levels and should be anticipated in contingency plans. Emergency plans should identify know capabilities gaps at each level and appropriate resources should be identified to fill those gaps through resource acquisition or agreements with other jurisdictions or levels of government.

Good planning leads to good response. Preparedness programs enable personnel to rapidly identify, evaluate, and react to a wide spectrum of situations, including increased threat levels and incidents arising from terrorism or natural events such as hurricanes. State and local government officials have the overall responsibility of deciding and implementing the appropriate protective actions during periods of heightened security or response to an incident. They are responsible for notifying the public to take protective actions such as evacuation, sheltering or other protective measures.

Following Hurricane Katrina, the President directed DHS to conduct joint reviews of Emergency Operations Plans for major cities (defined as the Urban Area Security Initiative (UASI) areas by DHS). Congress further directed DHS to report on the status of catastrophic planning including mass evacuation planning in all fifty state and the seventy-five largest urban areas.¹⁶³ Although these efforts are scheduled to be completed prior to the establishment of a DHS regional structure, the regional staff will play a critical role in future planning efforts. DHS contingency planning efforts will be directed toward:

- Developing a collaborative planning process with state and local governments as partners;
- Leveraging ongoing efforts such as the National Preparedness Goals, NIMS, and NRP;
- Updating contingency planning guidance;
- Improving understanding of each level's response capabilities;
- Identifying capability and resource gaps;
- Coordinating assistance to fill capability and resource gaps through intergovernmental agreements or federal assistance; and
- Improving synergy across all levels of government.

¹⁶³ U.S. Congress, House, DHS Appropriations Act for Fiscal Year 2006, Conference Report on HR 2360.

c. Situational Awareness and Information Sharing

Situational awareness is a fundamental element of preparedness. The regional staff will be responsible for maintaining current situational awareness of vulnerabilities and risks facing the region and the status of federal, state, and local response capabilities. Situational awareness includes coordinating information sharing of current threats, ongoing operations, capabilities, and resource needs to prevent, reduce vulnerability, respond to, and recover from incidents within the region.

Effective incident management and threat response requires a network of stakeholders that share information, plan, train, exercise, and respond together. Through contingency planning reviews, training and exercises, and development of strategic partnerships, the DHS regional staff will facilitate the information sharing environment between regional stakeholders. In order to meet the information sharing and networking requirements to coordinate homeland security activities within the region, the regional staff will:

- Coordinate information sharing with existing Federal, state, and local homeland security organizations and multi-agency coordination groups;
- Identify partnerships that could be formed or could be improved;
- Identify and promote best practices in information sharing;
- Advocate for maximum shared situational awareness and a common operational picture among regional homeland security partners;
- Promote state and local initiatives that create, improve, or maintain information sharing networks.

d. Preparedness Assessments

Reviewing contingency plans will allow regional staff to be well versed in the capabilities and needs of partners in the region. DHS regional staff will be better aware of shortfalls in state and local resources and requirements for Federal assistance. Regional staff will consult and coordinate with DHS components, other Federal agencies, and state and local officials to develop locally based assessments of homeland security capabilities. Local assessment will be crucial to developing a national preparedness

assessment and more effective and efficient decisions about resource allocations, exercise planning, grants, and risk management.

- Regional staff will coordinate preparedness activities with DHS headquarters offices to assist state and local officials. Fundamental preparedness activities include:
- Coordinating with the Office of Grants and Training to review exercise plans and schedules, and grant guidance and applications;
- Coordinating local, state, and regional homeland security strategies to integrate with the National Homeland Security Strategy;
- Supporting the attainment of the National Preparedness Goals
- Coordinating assistance from DHS components and other Federal agencies;
- Providing DHS leadership with an assessment of regional capabilities;
- Recommending priorities for homeland security programs, grants, and activities.

e. Communication and Coordination

The Regional Response Coordination Center (RRCC) is a standing facility currently operated by FEMA that coordinates regional response efforts, establishes Federal response priorities, and implements local Federal program support until a JFO is established in the field and/or other key DHS incident management officials can assume their NRP coordination responsibilities.¹⁶⁴ The RRCC establishes communications with the affected State Emergency Operations Center (EOC) and the National Resource Coordination Center (NRCC), coordinates deployment of the Emergency Response Team–Advance Element (ERT-A) to field locations, assesses damage information, develops situation reports, and issues initial mission assignments. the RRCC, staffed by regional personnel, coordinates initial regional and field activities such as deployment of the ERT and ERT-A.

¹⁶⁴ DHS, Quick Reference Guide to the Final Version of the National Response Plan, (Washington, D.C.: DHS, 2006).

This proposal recommends reorganizing the Regional Response Coordination Centers as Regional Homeland Security Operations Centers (RHSOC), providing 24X7 staffing to coordinate information sharing and deployment of Federal resources with state, and local governments. The RHSOC would develop a regional threat assessment in conjunction with the Joint Terrorism Task Forces in the region based on local and national reporting and operations. The RHSOC would evaluate local and regional threat information to prevent future terrorist incidents. The RHSOC will be scalable in order to meet increasing threat level as needed.

Level 1 - Normal	Situation is monitored by RHSOC Watch 24X7.
Level 2 - Alert	An increased threat level or an incident notification is made to agencies and support staff who would need to take action as part of their responsibilities. RHSOC is augmented as required by the situation.
Level 3 - Partial Activation	Limited activation when a major incident is very probable or following an incident which doesn't require full activation. Primary staff are activated and interagency liaisons are activated or notified of potential activation.
Level 4 - Full Scale Activation	All primary and interagency liaisons are activated and support agencies are notified. The RHSOC is supporting incident response until the activation of a Joint Field Office.

Table 3. RHSOC Levels of Operation

The Office of Infrastructure Protection Protective Security Advisors (PSA) will assist state and local governments identify national, regional, and local critical infrastructure and assist in determining the need for protective measures for those facilities. PSAs will coordinate day-to-day activities with the regional staff. The regional staff will provide a regional assessment of trends and other infrastructure related information to the PSAs for assessment.

f. Grants and Training

State and local governments have responsibility for training and exercises within their jurisdiction. DHS and other federal agencies administer national level programs that support training and exercise activities across all levels of government.

Exercise planning, development, and execution require a significant amount of coordination among the participating agencies. The regional staff will coordinate exercise planning with the Office of Grants and Training and assist in the coordination of exercise planning to facilitate regional collaboration and ensure capability gaps are addressed. The regional staff will participate in exercise within their region to the greatest extent possible.

The Homeland Security Exercise and Evaluation Program (HSEEP) was developed to enhance assess terrorism prevention, response, and recovery capabilities of Federal, state, and local governments. Exercises promote coordination and collaboration among federal, state, and local to meet preparedness goals. Homeland security exercises utilize resources of multiple federal, state, and local governments and agencies. The regional staff will ensure that these resources are effectively coordinated.

HSPD-8 required the development of a National Exercise Program that support achievement of the national preparedness goal. The National Exercise Program ensures exercise and activities support the unified national preparedness strategy and achievement of the national preparedness goal. Coordinated exercise planning should eliminate duplicative efforts and identify opportunities to combine training and exercises, and engage Federal, state, and local stakeholders to ensure collective preparedness

- Exercise activities of the regional staff include coordination with state and local authorities to:
- Develop exercise planning timeline and milestones;
- Assigning planning to identify exercise objectives, design the scenario to meet regional needs, develop evaluation, control, and simulation requirements;
- Schedule planning conferences to coordinate exercise planning and execution;
- Coordinate appropriate participation from Federal agencies;
- Ensure exercise comply with appropriate authorities and guidance;

- Assist in designing, conducting, and evaluating exercise;
- Assist with implementation of corrective actions and lessons learned.

Grant funding is provided to the state for exercise programs. The National Strategy for Homeland Security requires that civilian response personnel and government entities successfully complete at least one exercise annually as a means to measure performance and allocate resources. Responsibility for these requirements are complementary and require that all parties collaborate in order to achieve success.

3. Staffing Requirements

The regional staff will coordinate development of a regional strategy with federal, state, and local partners; coordinate/support federal allocation of resources to support regional strategy; develop regional threat, vulnerability, and risk assessments based on regional and federal information fusion; coordinate regional training and exercise programs; identify regional critical infrastructure and national critical infrastructure within the region; develop regional communication strategy; coordinate/support mutual aid agreements; coordinate inter-region support agreements. The DHS regional operations section will provide personnel to each state's Emergency Operations Center to monitor situational awareness and coordinate vertical and horizontal information sharing. Additional regional staff would then be deployed on a risk analysis basis to coordinate federal assistance for prevention and preparedness.

Preliminary analysis indicates a requirement for approximately eighty fulltime personnel for each regional staff including staffing for a 24/7 RHSOC. The Regional Staff will be organized in four divisions: operations, planning, preparedness, and administration.

- **Operations.** The Operations Division will facilitate regional partnership teams with State, local, and tribal governments to manage risk and allocate resources including outreach to regional homeland security partners. The Operations Division includes the RHSOC which provides situational awareness, current resource capabilities, and a common operational picture for the Regional Homeland Security Director and the regional

partners. The RHSOC will facilitate communications with State, and local partners. The operations section will be responsible for:

- Organizing resources (members of community, technical resources, etc.);
 - Developing Risk Assessments (potential hazards);
 - Developing strategies goals, objectives and actions to reduce hazards; and
 - Implementing plans and monitoring progress.
- **Planning and Analysis.** The Planning and Analysis Division will facilitate effective and efficient integrated contingency planning with State, local, and tribal governments based on the regional strategy. Analysts will develop regional strategies and conduct risk assessments and threat analyses.
 - **Preparedness.** The Preparedness Division will facilitate the coordination of preparedness programs including a regional training and exercise program. The staff will assess regional capabilities, coordinate exercises, and evaluate regional readiness.
 - **Administration.** The Administration Division will provide management support for the regional staff including human resources, information technology, budget and finance, security, legal, and clerical services.

Division	Staffing	Notes
Operations	15	3 per State
RHSOC	25	5 sections
Communications and Outreach	5	1 per State
Planning and Analysis	15	3 per State
Preparedness	12	
Administration	13	
Total	80	

Table 4. Projected Regional Staffing

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VII. CONCLUSION

Historically, the American governance system, divided into federal, state and local jurisdictions, does not provide a natural vehicle for discussing public policy issues from a regional, multi-jurisdictional perspective. The autonomy of local jurisdictions and competing priorities within and among them makes regional coordination difficult. Efforts that seek to overcome these challenges to coordinate regionally must take into account the different operational structures and civic traditions of states and municipalities.¹⁶⁵

The establishment of a Homeland Security Regional Structure will support the DHS Mission of leading a unified national effort to secure America. The homeland security regions will enhance the national effort to prepare for threats and hazards to the nation. The regional structure will move DHS support closer to state, and local governments that have been overwhelmed by new requirements for homeland security within their jurisdictions. Engaging state and local governments at the regional level provides the best opportunities for the integration of homeland security efforts across all levels of government.

Establishing and operating the regional structure will require strong coordination mechanisms and to ensure an efficient and effective delivery of DHS services to state and local entities throughout the nation. Establishing Homeland Security Regions to develop a unified effort across Federal, State, local, and tribal governments in order to coordinate homeland security functions. The regions would provide a more manageable span of control for the Secretary and provide the capability to more effectively reach out to State, local, and tribal governments.

A regional structure would allow DHS to engage state and local governments to coordinate strategies and share homeland security information based on the highest probability threats to a geographic region. DHS would establish and staff offices to coordinate among the states in the region. The Regional Homeland Security Director

¹⁶⁵ GAO, Homeland Security: Effective Regional Coordination.

would review resources within the region and facilitate agreements between government entities to more efficiently utilize assets, evaluate requests for regional resources, and coordinate the use of Federal resources.

Establishing a common DHS regional structure would enable the Department to develop homeland security culture among DHS component field elements and State and local governments. DHS component agencies maintain their pre-existing field structures without common operational boundaries, goals, or missions from DHS. Component agencies and other Federal Departments and agencies continue to coordinate independently with State and local governments lending continued confusion over roles and responsibilities. The uncoordinated response to Hurricane Katrina highlighted the lack of understanding of State and local requirements at the Headquarters level.

The DHS field structure provides the opportunity for DHS to gain a better understanding of homeland security activities at the State and local level. The regional teams would enhance relationships with local governments, assist with regional planning and exercises, and be prepared to manage and coordinate responses to incidents and be more effective in monitoring homeland security grant spending.¹⁶⁶ The DHS field structure would allow the development of a DHS culture beyond headquarters, by establishing senior DHS field representatives and a single point of contact for homeland security within specific geographic areas or regions. Establishing a field structure would also provide the opportunity for the Department to align component agency boundaries to better coordinate homeland security activities.

¹⁶⁶ House Committee on Homeland Security, Management Challenges.

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